public welfare did their best to resolve their differences on a basis of fair compromise. Reasonable men, desiring to accomplish but one end—to help promote the public interest without destroying the legitimate rights of either industry or labor—have worked together in the Senate committee reporting this bill and after weeks of cooperative effort they have brought forth a bill which, in my judgment is a constructive bill. If it should be passed by the Senate and by the entire Congress it would be a great constructive contribution to industrial peace in this country. I think that in its present form it is a bill which the President would not be justified in vetoing. He is a fair-minded man and I do not think he would want to veto it. Therefore, I hope that when the Members of the Senate come to study this bill they also will come to develop the spirit and the understanding which I think has come to motivate every member of the Committee on Labor and Public Welfare which has voted out this bill.

I want also to commend the Senator from Minnesota [Mr. BALL] who certainly has had views on labor legislation somewhat at variance with those of some of the rest of us, and who still holds those views, but I think he made a great many constructive contributions in the executive sessions of the committee, thereby making it possible for the committee to report a bill as fine as this bill.

I particularly wish to commend the Senator from New York [Mr. IVES] who introduced legislation on the floor of the Senate, much of which will be found in this bill. He deserves a great deal of credit for the contributions he made to various sections of the bill. In fact, an examination of the final bill will show that the provisions in the titles of the bill dealing with mediation and emergencies were for the most part taken from the Ives bill previously introduced in the Senate. Likewise, the provisions on breach of contract, as well as many other proposals in the final bill, were taken by the committee directly from legislation introduced by the Senator from New York.

I am very happy that on March 10, in a speech which I am sure my colleagues at the time thought was too long, I laid the foundation for my proposals for amendments to the Wagner Act. At that time I offered S. 858, containing the specific proposals which I recommended in that speech insofar as the Wagner Act was concerned. I am very pleased that in the bill which we are reporting today practically all of the provisions of S. 858 are contained in it plus some refinements of S. 858 which I have developed on the issues since my speech on March 10, 1947. In fact the bill which the Senator from Ohio [Mr. TAFT] is now presenting as the committee bill from the Committee on Labor and Public Welfare is for the most part a combination of the Ives-Morse bills previously introduced as separate bills.

It is not often, Mr. President, that I feel motivated to hand out complimentary flowers, so to speak, but I am so deeply moved with regard to the fine spirit which characterized all of the deliberations of the Committee on Labor and Public Welfare, including every member of that committee, without exception, that I think this statement of commendation for the work of the committee should be made at this time when the committee bill in its final committee form is being presented to the Senate by the Senator from Ohio [Mr. TAFT]. I want to particularly commend the chairman of the committee through whose leadership we were able to reach the fair, reasonable, and conscionable compromises which produced the final bill.

In closing let me say that if the Senate wants to pass constructive labor legislation that the President acting in good faith can sign, it will pass this bill without adding to it any of the drastic provisions which we defeated in committee. It is a bill which represents a great step forward in sound labor legislation. It protects the legitimate interests of workers, employers, and the public. It has teeth in it but is not punitive. It meets a public need and a public demand for a check upon unfair labor practices without destroying basic rights of free labor.

Mr. TAFT. Mr. President, I do not want to leave a wrong impression regarding the bill. I think it is a good bill, and I shall support everything in it; but approximately four additional provisions which were in the bill as originally presented to the committee and which I think should be adopted were stricken out by a vote of 7 to 6. I do not want to give the impression that I do not think those four things should be added to the bill.

I must say that I appreciate greatly the statement made by the Senator from Oregon. I think he has approached the matter from a most cooperative standpoint. I do not think any bill in the preparation of which I have ever participated has been considered in more detail and more thoroughly studied than has this particular bill.

Mr. PEPPER. Mr. President, I desire to associate myself with the just tribute which has been paid by the Senator from Oregon [Mr. MORSE] to the able Senator from Ohio [Mr. TAFT] and the manner in which he has conducted the hearings and deliberations on the labor bill, leading to the preparation of the measure which he has just reported to the Senate. I think as good a job has been done on that measure as has ever been done by the chairman of any Senate committee, and I think the result attained is on the whole a good one. There are many parts of the bill as reported for which I voted in the committee, and with which I am in accord, and for which I shall vote on the floor of the Senate.

However, the Senator from Montana [Mr. MURRAY] and I, who were the two members of the committee to cast dissenting votes in connection with the report on the bill, felt about some of the provisions of the bill just the opposite of the way the Senator from Ohio felt about some matters which are not now covered in the bill. He felt that some further provisions should be included in the bill. We felt that the bill included some things which should not have been included in it.

Accordingly on the floor of the Senate we shall vote for some of the things contained in the bill, I am sure, but we shall vote against some of the provisions of the bill, and perhaps we shall vote for some provisions which may be offered in the form of amendments, and which are not now contained in the bill.

But I wish to give hearty tribute and commendation to the chairman of the committee and to all other members of the committee for the very fine spirit of cooperation in which this bill was finally put together.

RECESS

Mr. WHITE. I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 51 minutes p. m.) the Senate took a recess until tomorrow, Friday, April 18, 1947, at 12 o'clock meridian.

WITHDRAWAL

Executive nomination withdrawn from the Senate April 17 (legislative day of March 24), 1947:

POSTMASTER

Louis L. Brown to be postmaster at Fort Valley, in the State of Georgia.

HOUSE OF REPRESENTATIVES

THURSDAY, APRIL 17, 1947

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

May there be a few moments of devotional silence in memory of our country's sorrow.

Our Father in Heaven, we bow our souls in humility, asking forgiveness of our sins. Teach us the importance of our duty in the life of our people, never shielding ourselves from its call. We walk with tears in the path of our Nation's sorrow. Our land travails and groans with pain because of the unmeasured affliction which has come to our Southland. O God of mercy, help them, bleeding and dying, to breast the gloom. O give comfort to all who suffer; stoop to their need and share their load. May our whole country respond to the call of all humane agencies whose arms are open and common to all men; in every way may we help to bind up the brokenhearted, relieve the distressed, and do our whole duty with unflagging purpose. Wherever there falls a shadow on the human heart, may rest be found through Him who hath loved us.

"Swift to its close ebbs out life's little day;
Earth's joys grow dim, its glories pass away.
* * * * *
Heaven's morning breaks, and earth's vain shadows flee;
In life, in death, O Lord, abide with me."

In the dear Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE DISASTER IN TEXAS

Mr. KEATING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, it seems almost sacrilegious after the words of our beloved Chaplain to add anything.

Perhaps our Heavenly Father, by design, ordains that we undergo great calamities that we may not forget our obligations of brotherhood to the stricken. Certain it is that such an event as the Texas City disaster brings us closer to one another. We share the tears of those who grieve and the pain of those who suffer.

Now we pause in the heat of a sometimes bitter—yes, sometimes too bitter—debate to say to our colleagues from Texas, "We mourn with you and want you to know that you and the stricken families of your fine State are in our affectionate thoughts and prayers in this hour of tragedy."

Particularly do we extend this message of sympathy to the gentleman from Texas [Mr. MANSFIELD], a distinguished and beloved veteran of this body, who himself is now undergoing a serious illness, from which we all wish him a speedy and complete recovery.

The SPEAKER. The time of the gentleman from New York has expired.

EXTENSION OF REMARKS

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD in two separate instances and in each to include editorials.

Mr. RANKIN. Mr. Speaker, a day or two ago I received unanimous consent to include in the RECORD an address by Capt. Eddie Rickenbacker. I find, however, that, according to the calculation of the Printing Office, it will cost $159.75 to print. This means, of course, including everything, but as a matter of actual value it costs only the paper on which it is printed and the ink with which it is printed; but notwithstanding the estimate, I ask unanimous consent to insert it in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. GILLIE asked and was given permission to extend his remarks in the RECORD and include an editorial from the Fort Wayne News-Sentinel.

Mr. BUTLER asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. ANGELL asked and was given permission to revise and extend the remarks he expects to make today in the Committee of the Whole and include certain excerpts.

A LESSON FROM THE DISASTER AT TEXAS CITY, TEX.

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STEVENSON. Mr. Speaker, the terrible calamity that has shocked the entire world which occurred in the small community of Texas City has brought to mind something I have been thinking about for many months.

Consider the panic and the terrific loss of life that would occur in Washington with hundreds of thousands of people trying to get out of this city in case of any pending disaster. We have only one road to the west, one to the south, and one to the east. The only railroad to the south is dependent upon one lone bridge. These roads are jammed every Sunday afternoon with motorists coming home after a day's outing.

Imagine what would happen if hundreds of thousands of panic-stricken people were trying to get out of Washington to escape some terrific pending disaster. Hundreds of people met death at Texas City because of the poison gas escaping from the explosions that occurred there. Similar explosions could very well occur in the vicinity of Washington, and poison gas might well kill hundreds of thousands of people in the District before they could even think of getting away in their automobiles.

Atomic-bomb scientists have told us that the explosion of one atomic bomb would kill every living thing within a radius of 10 miles. That is something to think about when we realize there are no roads out of the city of Washington that would accommodate any great number of motorists who wanted to get out of Washington at the same time to escape pending disaster.

Why do we have to centralize all our Government agencies in Washington? Why not locate the Department of the Interior in the State of Colorado or some other Western State? Why not locate the Department of Agriculture with its thousands of employees in the State of Wisconsin or Minnesota? There are thousands of employees in the War Department located in one building—the Pentagon. What would happen if all those in the Pentagon Building wanted to get away at the same time? Why not locate the War Department at Camp McCoy at Sparta in my own district in Wisconsin, where we have the finest accommodations for 60,000 people? The same argument might be made for all the large departments and the thousands of employees connected with those departments who are now living here, and who for safety sake should be centered in the safe recesses of the West and Middle West.

Why bring hundreds of thousands—yes, millions—of people to this city who could not get out if we ever had to escape some holocaust like that of Texas City?

The SPEAKER. The time of the gentleman from Wisconsin has expired.

AVIATION IN OVERSEAS SHIP OPERATION

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, the bill, H. R. 3079, which I introduced yesterday, seeks to end a grave inequity in the field of international transportation. It seeks to benefit American ship lines and air lines in their competition with foreign air-line and ship-line operators.

If enacted, this bill will permit American steamship lines to appear before the Civil Aeronautics Board on an equal footing with all other applicants to obtain certificates to use aviation in their overseas operations. This will put these lines more nearly on an equality with foreign lines which have already been accorded this right by the Civil Aeronautics Board.

This bill does not give the steamships any monopoly of air or other transportation. It does not automatically give them the right to fly. It simply accords them the same status as any other applicant, whoever that may be, when applying to the Civil Aeronautics Board, for the right to use aviation in their operations overseas.

Ever since I became chairman of the House Merchant Marine and Fisheries Committee, I have sought to obtain some measure of justice for American shipping lines in this vital national issue.

The whole subject is now to be brought to the attention of Congress at hearings beginning April 22 before the House Interstate and Foreign Commerce Committee, at which I hope that this bill will be considered. I want to congratulate the gentleman from New Jersey, Chairman WOLVERTON, of that committee, for bringing this major national issue up for public attention, and for congressional action that should result in the establishment of a sound national policy that will be in the public interest.

American steamship lines believe that they can make a definite contribution to our whole pattern of international transportation. They seek only the right to prove this contention.

Deprived of an air arm, the merchant marine faces fully equipped foreign steamship and air-line combinations with one hand tied behind its back. Ten billion dollars of our national income and three and one-half million steady American jobs depend upon our foreign trade. The competition is fierce and our American merchant marine requires every facility in order to maintain and develop American industry's foreign trade. Overseas air lines, operating in complete independence, are at a handicap.

The Civil Aeronautics Board, in referring to steamship lines in overseas trade, said:

> They will be possessed of powerful competitive weapons that will enable them to crush independent air lines.

But foreign steamship-air-line combinations already have these weapons and are using them effectively. It is the epitome of national foolishness not to put an American team of equal strength in the field.

UNITED STATES AID FOR DISASTER VICTIMS OF TEXAS CITY, TEX., AND OKLAHOMA

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, as one Member who has had the experience of a disaster in his home town I want to suggest that the Congress should let the suffering people of Texas City and the cyclone victims of Oklahoma know that the Federal Government is ready to assist them in any way it can.

On the 5th of April 1936, there swept down on my home town, Tupelo, Miss., a cyclone that injured a thousand people, killed something like 200, and swept away 600 homes in less than 3 minutes. I have never witnessed such devastation in all my life.

The Red Cross, the people of the entire country, and the Congress of the United States came to our assistance, just as they were going to the assistance at that time of the flood sufferers along the Ohio River.

If those people in Texas and Oklahoma need assistance, I for one am ready to go the entire way, just as I would if it were in Mississippi, New York, Michigan, Iowa, Alabama, or any other State. It is a question of humanity; and I want the world to know that so far as I am concerned, and I think I speak the sentiments of the entire Congress, when I say that we are willing to do our part in extending Federal aid to these unfortunate people.

EXTENSION OF REMARKS

Mr. LECOMPTE asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter from a distinguished citizen of Iowa, the commander of the American Legion, department of Iowa.

Mr. JAVITS asked and was given permission to extend his remarks in the RECORD and include two editorials on displaced persons.

LABOR-MANAGEMENT RELATIONS ACT, 1947

Mr. HARTLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 3020) to prescribe fair and equitable rules of conduct to be observed by labor and management in their relations with one another which affect commerce, to protect the rights of individual workers in their relations with labor organizations whose activities affect commerce, to recognize the paramount public interest in labor disputes affecting commerce that endanger the public health, safety, or welfare, and for other purposes.

CALL OF THE HOUSE

Mr. KEARNEY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

Mr. HALLECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 34]

Bender	Gifford	Norton
Bland	Granger	Pace
Boggs, Del.	Hart	Poulson
Bulwinkle	Hays	Short
Cannon	Hill	Simpson, Pa.
Clements	Hull	Smith, Va.
Cox	Jones, N. C.	Teague
Davis, Tenn.	Kean	Tibbott
Dawson, Ill.	Keogh	West
Dingell	Kirwan	Wilson, Tex.
Fallon	McDowell	Wolcott
Feighan	Mansfield, Tex.	Wood
Fletcher	Morrison	Worley
Fuller	Murray, Tenn.	
Gerlach	Norrell	

The SPEAKER. On this roll call 385 Members have answered to their names, a quorum.

On motion of Mr. HALLECK, further proceedings under the call were dispensed with.

EXECUTIVE COMMUNICATION 490

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent that Executive Communication 490, previously referred to the Committee on Foreign Affairs on March 26, 1947, be re-referred to the Committee on Interstate and Foreign Commerce.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

EXTENSION OF REMARKS

Mr. THOMAS of Texas asked and was given permission to extend his remarks in the RECORD and include a telegram from H. J. Porter, president, Texas Independent Producers and Royalty Owners Association.

Mr. HAYS asked and was given permission to extend his remarks in the RECORD.

Mr. LESINSKI asked and was given permission to extend his remarks in the Appendix of the RECORD and include a speech by Mr. George Meany, secretary-treasurer, American Federation of Labor.

Mr. D'ALESANDRO asked and was given permission to extend his remarks in the RECORD and include an editorial from the Baltimore Morning Sun of April 14, 1947.

Mr. ZIMMERMAN asked and was given permission to extend his remarks in the RECORD and include a speech delivered by Governor Kerr, of Oklahoma, at Saxton, Mo., on April 12.

Mr. CASE of South Dakota asked and was given permission to extend his remarks in the RECORD in two instances and include two articles.

Mr. SCHWABE of Oklahoma asked and was given permission to extend his remarks in the RECORD and include an article appearing in the Sunday Tulsa World of April 11, 1947.

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the RECORD on the subject of labor.

Mr. HOPE asked and was given permission to extend his remarks in the RECORD and include a letter and an editorial.

Mr. POULSON (at the request of Mr. KILBURN) was given permission to extend his remarks in the RECORD.

Mrs. SMITH of Maine asked and was given permission to extend her remarks in the RECORD in two instances; to include in one an editorial apearing in the Republican Journal, and in the other an article on General Spaatz.

Mr. HOFFMAN asked and was given permission to revise and extend the remarks he expects to make in Committee of the Whole and include excerpts from the Railway Labor Act and the Norris-LaGuardia Act.

LABOR-MANAGEMENT RELATIONS ACT, 1947

The SPEAKER. The question is on the motion offered by the gentleman from New Jersey [Mr. HARTLEY] that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 3020) to prescribe fair and equitable rules of conduct to be observed by labor and management in their relations with one another which affect commerce, to protect the rights of individual workers in their relations with labor organizations whose activities affect commerce, to recognize the paramount public interest in labor disputes affecting commerce that endanger the public health, safety, or welfare, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 3020, with Mr. BROWN of Ohio in the chair.

The Clerk read the title of the bill.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 26, strike out line 25, everything on page 27, and all on page 28, down to and including line 7, and insert in lieu thereof the following: "No employer shall directly or indirectly require any person seeking employment to sign or to be bound by any contract or agreement promising to join or not to join a labor organization."

Mr. HOFFMAN. Mr. Chairman, this amendment is offered so that the RECORD may be absolutely clear, so that in 1948, when the campaign is on, the people will know how those who may be seeking reelection voted on this fundamental proposition, the proposition of the unrestricted right of Americans to work. Are we now to limit that right by legislation or by the rules or regulations of a labor union? Labor laws presumably are written for the protection of the man who works, and incidentally in the public interest. We have come now in the consideration of this bill to a place where there is a provision which it is said organized labor insists must be in the bill or there will be political retaliation, to a provision which we have been told during the last 10 days employers want written in the bill—the section which

legalizes the union shop, which forces a man to join a union in order to hold a job. I can well understand the attitude of a national labor leader who wants to control in a monopolistic way all employees, to have them under his control, his dominion, to be to them a dictator. I can understand the attitude of the employer in a great industry who has hundreds of thousands of men working for him and who wants to bargain with the labor leaders. The first will be in a position to sell, the second in a position to buy human labor. The individual employee is ground in between those two men when they get together and is at the mercy of those two men who have control over his future.

I have heard a great deal from labor leaders and from politicians seeking votes about the fairness and the workability of the Railway Labor Act. Let me read you what that says on this subject. Here it is:

No carrier, its officers, or agents shall require any person seeking employment to sign any contract or agreement promising to join or not to join a labor organization.

If that provision written into that law was good, if it has worked out so well, and these advocates over here who speak against this amendment which I have proposed hold that up as a model, why should it not be in the basic labor legislation? Why do they refuse to incorporate that provision into this act.

Again, we have heard about the Norris-LaGuardia Act, what a wonderful benefit that was to the men who work. What does that provide? Let me read it to you:

Any undertaking or promise, such as is described in this section, or any other undertaking or promise in conflict with the public policy declared in section 102 of this title, is hereby declared to be contrary to the public policy of the United States, shall not be enforceable in any court of the United States and shall not afford any basis for the granting of legal or equitable relief by any such court, including specifically the following—

Here it is:

Every undertaking or promise hereafter made, whether written or oral, express or implied, constituting or contained in any contract or agreement of hiring or employment between any individual, firm, company, association, or corporation * * * whereby either party to such contract or agreement undertakes or promises not to join, become, or remain a member of any labor organization or of any employer organization, is unenforceable.

Mr. Chairman, previous Congresses on two occasions have written into the Norris-LaGuardia Act and the Railway Labor Act the provision that no man should be required to join, become, or remain a member of a union. Is this Congress, the first Republican Congress in 14 years, going to deny to the employees who will be seeking and holding jobs between now and 1948 the right to work, the unrestricted right to work? I have offered this amendment so when that campaign rolls around your constituents will know how you voted on it. You tell them.

On every poll which has been taken more than 73 percent have indicated their desire for the open shop. Why, pray tell me, is the Congress now refusing to give to the factory worker what the Congress gave to the railway men? Why deny to the veteran the freedom he brought to the people of other lands?

That you may see the injustice in refusing to accept this amendment, I am reading from the two acts.

From the Railway Act, title 45 of the United States Code, section 152, subdivision 5, comes the following:

No carrier, its officers, or agents shall require any person seeking employment to sign any contract or agreement promising to join or not to join a labor organization; and if any such contract has been enforced prior to the effective date of this chapter, then such carrier shall notify the employees by an appropriate order that such contract has been discarded and is no longer binding on them in any way.

From the Norris-LaGuardia Act, title 29 of the United States Code, chapter 6, section 103, comes the following:

SEC. 103. Any undertaking or promise, such as is described in this section, or any other undertaking or promise in conflict with the public policy declared in section 102 of this title, is hereby declared to be contrary to the public policy of the United States, shall not be enforceable in any court of the United States and shall not afford any basis for the granting of legal or equitable relief by any such court, including specifically the following:

Every undertaking or promise hereafter made, whether written or oral, express or implied, constituting or contained in any contract or agreement of hiring or employment between any individual, firm, company, association, or corporation, and any employee or prospective employee of the same, whereby

(a) Either party to such contract or agreement undertakes or promises not to join, become, or remain a member of any labor organization or of any employer organization—

And so forth.

Mr. HARTLEY. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Michigan.

Mr. Chairman, I know how strongly the gentleman from Michigan feels on this issue, and hence I do not intend to take up too much of the time of the Committee in answering him, but I would remind the Members that this issue was thoroughly and extensively debated on yesterday, and a similar amendment was decisively defeated. This is the issue concerning the modified union shop in the bill. I am certain that the Members are familiar with the provisions of the bill which this amendment would strike out. Therefore, I urge that the amendment be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was rejected.

Mr. DONDERO. Mr. Chairman, the bill before us, H. R. 3020, is a measure which has for its objective better relationship between management and labor in our industrial world.

It is not an antilabor bill. It is a bill designed to correct the abuses which have grown up in organized labor under the Wagner Act. I do not share the pessimistic views expressed by some Members of the House who profess to be the friends of labor that this bill will result in dire calamity to our economic system if it becomes a law. If those who voice such predictions are no more accurate than those who sponsored the Wagner Act when it came before Congress 12 years ago, in prophesying that it was the panacea for all the evils existing between capital and labor, then the claims made against this bill should be entirely disregarded.

A reference to the CONGRESSIONAL RECORD of 12 years ago is pertinent to the consideration of this bill. In urging passage of the Wagner bill then, it was claimed, and I quote from page 9683 of the CONGRESSIONAL RECORD, volume 79, part 9, Seventy-fourth Congress, first session:

The general results of this measure—

Meaning the Wagner Act—

will promote economic peace and security.

What this bill means to do will be to stop strikes.

Did it stop strikes or bring about economic peace and security? The very opposite has been its effect. Its unfair and one-sided provisions have resulted in the worst wave of strikes, chaos and confusion in industry and business ever witnessed by this Nation. The result of that act has brought economic disaster to the country. As evidence of this statement, I refer to the report on this bill and the record of this Government which shows that last year the country witnessed 4,985 strikes, resulting in 116,000,000 man-days lost. This is not progress. It is class warfare and no one in this country has benefited by that shameful record or received any satisfaction out of it except the Communists. They have given notice that they propose to destroy us through class warfare.

The American Government is founded on the principle of fairness, equity, and justice among its people. These cardinal principles have been emasculated and destroyed by that unwise and one-sided labor legislation. It has nearly destroyed both management and labor. The rank and file of American labor has suffered at the hands of their own union leadership. I am not opposed to unions nor collective bargaining if conducted and maintained under the American principle of fair dealing. One thing is certain, America cannot go forward or progress under the present conditions of strikes and fear of strikes. Our whole economic structure and way of life is placed in jeopardy and the welfare of the Nation endangered.

The telephone strike, now in progress, is but an example of the chaos and confusion which can be brought about under present labor laws. The vast majority of the rank and file of union labor, I believe, is dissatisfied with present conditions. Freedom has become a farce in America. The dignity of the individual working man and woman no longer exists. Two things have vanished in the industrial life of the Nation. First, a spirit of cooperation and good will between employer and employee, and second, the pride of accomplishment. The result has been disastrous. The present attitude seems to be, How much can I

get for how little I can do? No one has ever devised a substitute for honest work nor has anyone been able to improve on simple arithmetic.

President Truman's statement that prices must come down or wages go up is fallacious and unsound. Production of goods at reasonable prices is the remedy. Strikes and slow-downs bring about scarcity of consumer goods and the needs of our people for more goods result in higher prices for everything.

As evidence of conditions existing in our industrial life, I shall read a letter received yesterday from a union man, a member of the CIO in Michigan. Mark his words:

APRIL 13, 1947.

I am a member of local —, CIO union, and feel as though I have no freedom.

When working this is what I have to contend with: "Don't work so hard; take a walk; management won't thank you for it; take it easy."

Now this all ruins production and in doing so ruins free enterprise, competition, profits, and America.

Bills to curb unions will save America and all it stands for. Don't let the unions scare you from doing what is right.

Our late President stated, when he signed the Wagner bill, that it would remove the chief cause of wasteful economic strife and that it would prevent practices which destroyed the independence of labor; and that it sought freedom of choice and action for every worker within its scope. It has had the very opposite effect, as evidenced by the progressively increasing number of strikes.

Even the author or sponsor of the bill which we now seek to amend or modify claimed that it would stabilize and improve business by laying the foundation for amity and fair dealing among our people. He has lived to see the destructive effects resulting from that unfair legislation.

This bill may not be perfect. It may not cure all the ills which have resulted from the ill-conceived and unwise legislation enacted by the New Deal, but no reasonable man can read the commonsense provisions of this bill without coming to the conclusion that it seeks to reestablish the sound principle of justice that should at all times prevail among all classes of our citizens. It is a step in the right direction.

Steady employment at good wages; protection of the savings of our people; expansion of business and industry and strengthening the free-enterprise system of America are some of the objects and hopes of this bill. Confidence between the employer and employee must be restored if we are to go forward to a better day. The American people are demanding that present conditions be corrected and they said so in no uncertain terms at the ballot box on the 5th day of last November.

My support of this measure is to carry out the wishes of a vast majority of the people whom I represent on this floor.

I shall support this bill in the belief that it will benefit the working people and that it will contribute to the general welfare of our country.

Mr. KERSTEN of Wisconsin. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

On page 31, line 23, add: "; *Provided, also,* That no such competing employers may engage in any concerted activities, collective bargaining, or arrangement in the formulation of labor policy for collective bargaining whereby any such competing employer is subject, directly or indirectly, to common control or approval of any other competing employer except in the instance mentioned above where the plants and facilities are less than 50 miles apart and the employees of such plants are regularly less than 100 in number."

On page 49, after line 13, insert:

"(4) Any conspiracy, collusion, or common arrangements between competing employers to fix or agree to terms or proposed terms of employment of their employees, or to subject such terms or proposed terms of employment to common control or approval, not permitted as to their employees, or as to the representatives of their employees, with respect to the collective bargaining, concerted activities, or terms of collective bargains or arrangements of such employees."

Mr. KERSTEN of Wisconsin. Mr. Chairman, the House in its wisdom on yesterday afternoon decided not to permit industry-wide bargaining when it voted down the amendment offered by the gentleman from Indiana [Mr. LANDIS] to strike out this restriction in the bill which forbids industry-wide bargaining. That being the situation and the bill standing as it is, it now provides without the amendments which I am offering that representatives of employees are forbidden to get together and formulate a wage policy where more than one competing employer or where two competing employers are involved. In other words, it prevents industry-wide bargaining so far as employees are concerned or their representatives.

My amendments level off the situation and equalize it as regards employers making that restriction applicable to both employees and their representatives and employers. This amendment forbids employers from getting together and agreeing on a wage policy with regard to their industry whereby they are controlled, directly or indirectly, by the other. I think in all fairness it must be adopted. As I understand it, the committee will accept the amendments. This being the situation, I do not think there should be any great trouble in equalizing the situation as far as industry-wide bargaining is concerned. You know, all of us, particularly the newer Republicans, are interested in seeing to it that large concentrations of wealth do not control our economy. It is necessary to insert this amendment to equalize the bargaining powers of both employers and employees. As I said, it forbids the employers from getting together and entering into wage contracts, one with the other, so that they might perhaps overwhelm their respective unions. The antitrust laws do not cover the situation, and I believe we have to cover it in this bill as far as wage contracts are concerned.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. KERSTEN of Wisconsin. I yield.

Mr. JOHNSON of California. All you want to do is to balance the situation and put the employers and employees in the same category?

Mr. KERSTEN of Wisconsin. Yes. That is the whole purpose of this bill, to equalize the situation between employers and employees. The Wagner Act was a Magna Carta, in one sense, for the employees, but it was a one-way street. This whole bill seeks to equalize the situation.

Mr. DEVITT. Mr. Chairman, will the gentleman yield?

Mr. KERSTEN of Wisconsin. I yield.

Mr. DEVITT. I note you have offered two amendments. I understood the one that was offered on page 31. Will the gentleman explain the amendment as offered at page 49?

Mr. KERSTEN of Wisconsin. I will be glad to do so. The one offered with regard to page 31 forbids employers from entering into a common wage contract. The amendment offered on page 49 is merely a sanction for that prohibition. It makes it an unfair labor practice. It is necessary to follow it out with a sanction. One follows the other as a corollary.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. KERSTEN of Wisconsin. I yield.

Mr. BARDEN. As I understand, the chairman has accepted this as a committee amendment. I am familiar with both of the amendments which the gentleman has offered. One is simply to put the same restrictions upon employers that it puts upon employees. The other one is making it an unfair practice for the employer to violate the first amendment. I will say to the gentleman I have discussed with all of the Democratic members of the committee and they are in accord with the gentleman's views. I think it is an improvement of the bill and, as I understand it, the chairman of the committee accepts it.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. McCONNELL. Mr. Chairman, I rise in support of this amendment.

I am opposed to industry-wide bargaining on the part of labor organizations; I am also opposed to it on the part of competing employers.

My opposition to industry-wide bargaining is based on a fundamental conclusion which has developed painfully and slowly over a period of years. I now know that absolute good and absolute bad exist in very few cases in this modern complex world. There are some good reasons for and against industry-wide bargaining. I recognize the fact that tangible benefits have occurred because of its existence. But I see the disadvantages, and the net result leads me to the decision that the dangers outweigh the gains.

The arguments for it are mainly those of a monopolist. Elimination of competition because of its economic waste and business casualties seems like a good reason for a monopoly to exist. I was a monopolist in my beliefs during my college life and early business days. In the field of public utilities, I still believe

in regulated monopolies for certain reasons. But as for business generally, I am opposed to it. The development of big combinations of capital and then the growth of big labor combinations, with big centralized Government power to regulate both of them, has caused me to become doubtful of my earlier position. As I watch a few men sit down and decide the destiny of millions of people, I realize there is something dangerous in that pattern. Something wholesome has gone out of American life. An individual counts for very little; he has become just a cog in a mighty machine. It is changing the whole concept of our American Republic with its protection for minorities and the individual citizen. It is closely akin to statism. It resembles the pattern of the early days of the Mussolini regime in Italy, which finally ended up with labor and business both under Government. It is a long step forward toward a government-controlled society.

We cannot go all the way back to a nation of very small businesses and small labor organizations, but, in having company bargaining instead of industry-wide bargaining, we are eliminating some of the dangers.

I hope you will see this as I do, and as apparently you did see it yesterday when you voted to ban industry-wide bargaining on the part of labor organizations, and vote today for this amendment to ban it for employers also.

Mr. HARTLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I just want to say that the committee accepts these amendments.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the amendment which has just been proposed by the gentleman from Wisconsin [Mr. KERSTEN] is meaningless. It does not by any means restore the industry-wide bargaining which has been so essential to stabilization of industrial relations, the protection of American workers against substandard wages.

It does not prohibit the ganging up on the part of monopoly industry against any labor organization or any group of workers in any particular plant. The gentlemen in control of monopoly industry and monopoly finance do not have to sit down formally to fix a wage policy, they do not have to enter into a written agreement among themselves; the understanding is fixed by community of their interests. Therefore, what you are prohibiting here is something they do not have to do in order to accomplish what they have been doing and what they will do, namely, to act in concert against labor's just demands.

It is significant that the very gentlemen who have been insisting on the prohibition of industry-wide bargaining by labor now support this amendment. Without doubt the fact remains that they realize that this amendment does not in any manner restore industry-wide bargaining, and further, that it gives no protection to labor against the ganging up on the part of the trusts.

The gentleman from Wisconsin in proposing this amendment states that it will sort of equalize the situation. He proposes it on a basis of equality. It is the same kind of equality that Anatole France defined with respect to the law. He said: "The law in all of its majestic equality forbids the rich as well as the poor to sleep under bridges, beg on the streets, and steal their bread from the shop windows." That is the kind of equality this amendment as well as this bill gives to labor.

While I do not oppose the amendment I simply state that it does not fool those of us who are today still supporting the right of American men and women who work for a living to bargain collectively.

Mr. STRATTON. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I have read and reread this bill. I have listened recently to all of the debate, and I have carefully read both the majority and minority reports.

In the debate the bill has been characterized by the opposition as being Fascist, and also as a bill that will drive the workers to communism. Extravagant and irresponsible statements of this kind have not, in my view, contributed to understanding of what the bill does or what it contains.

Although the opposition, in its minority report, agrees that something has got to be done to improve labor-management relations in the United States and to correct labor abuses—yes; even though the President of the United States has recommended to the Congress that something be done—I regret to say that the opposition has made no effort whatsoever to improve this bill by amendment. They have made no effort to do even what their President has recommended.

All of the efforts in this direction have come from the Republican side of the aisle.

I am one of those in this House who believes that the bill goes too far, and I have supported all of the efforts that have been made to improve it. I regret that the House did not see fit to adopt the various amendments offered. If they had been adopted, the decision of Members like myself as to how to vote on final passage would not have been so hard.

After much thought, I have made my decision. I am going to vote for the bill, not because I desire to see it become law in its present form but because I, like the overwhelming majority of the people of our country, believe that something has got to be done, and the best way to do something is to get started in the right direction. There are some things in this bill that I do not like. As I have said, I have supported efforts to change them. There are, likewise, many things in the bill that are good.

Passage by the House is only the first of a long series of steps in the legislative process. We know that the temper of the other body is more moderate than that which seems to prevail here.

I am confident that this bill will be substantially modified by the other body, and that when it has gone through conference it will come back to this House in a form making it more acceptable to many of us here.

For these reasons, Mr. Chairman, I am going to vote "aye" on final passage.

Mr. CELLER. Mr. Chairman, I move to strike out the last three words.

Mr. KELLEY. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Pennsylvania.

Mr. KELLEY. I wonder if the gentleman who has just preceded the gentleman now about to address the House has any idea what House Joint Resolution 83 means, which has been lying before the Labor Committee since January 23. When he makes the statement that the minority members of the committee have not done anything he ought to inform himself as to what really exists instead of making wild statements on the floor of the House.

Mr. CELLER. Mr. Chairman, I know that opposition to this bill will avail naught and what I have to say may fall on unwilling and deaf ears, but there is an old Hindu saying that if you rub a bar of steel long enough you can convert it into a needle. That process of instilling a feeling of fairness to labor in this bill's sponsor would take a long time, but nonetheless we who oppose this bill must perforce speak our minds earnestly and sincerely. If we keep up our fight and in common parlance we continue to "rub in" the need for justice and equity to labor.

We passed a bill similar to this not so many moons ago, the so-called Case bill, but all your work was for naught. It received a well-earned veto by the President, and I can assure the Members of the House that this bill will likewise earn the veto, and justifiably so, of the President, despite the fact that the bill may be slightly modified in the other Chamber. So all our efforts here will have been for naught.

There is a tendency to believe that everything that comes out of the Committee on Labor and Education is sacrosanct and we cannot alter or change its findings. I notice, however, that the Committee of the Whole is willing to plug one little hole in this leaky ship, but it is too late. Even adoption of the pending amendment would avail you naught. There is another old saying that we never repair a leaky ship after it sets sail. We have set sail with this bill and any kind of an amendment of this sort, even though it may be slightly beneficial, is not going to do so very much good. The ship is full of many holes.

I call your attention to the fact that this bill gives all the advantages to management and all the disadvantages to labor. Management does not need any aid from you or anybody else. It can take care of itself. It advanced beyond the dreams of avarice even with our present labor laws. Let us see what the present levels of earnings of corporations are in this country.

The profit reports for the first quarter of 1947 will show a rate of earning after taxes that is well above 1946, itself a record year. It is almost double the profits earned in 1929, once considered the peak of prosperity, and 50 to 66 percent above earnings during the war years. At the present rate the 1947 profits will top those of 1946 by the staggering sum of $3,000,000,000, and this in face of the fact that we have the Wagner Act,

the Wages and Hours Act and all of the other labor bills against which those on the other side and some on this side inveigh.

Let us take the picture of the income of the American Telephone & Telegraph Co. For the 3 months ending with March those profits amounted, after taxes, to $48,000,000. For the 12 months ending March 31 the net income amounted to $193,500,000, which compares with the figure for 1946 of $177,000,000, an increase this year of over $15,000,000. This company and thousands upon thousands as well entrenched are to be the real beneficiaries of this bill. What of the laboring man who has to meet the staggering prices that have resulted from the fact that you took off controls? He cannot show such staggering profits. His dollar cannot stretch far enough to enable him, whom you really hurt in this bill, to buy the very necessities of life, food, raiment, and medicines and the necessary services to make life comfortable.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Indiana.

Mr. HALLECK. In view of the fact that the President in his message on the state of the Union said that we needed to enact some labor legislation, and referred specifically to jurisdictional strikes, secondary boycotts, and so forth, I would like to inquire whether or not the gentleman in his statement that this bill, if passed, would be vetoed by the President, speaks officially for the President or as a result of any direct information?

Mr. CELLER. I do not speak officially. But I can put two and two together, and I have a fair degree of intelligence. I know that the President is one who places human rights above property rights. He has an earnest desire to help the laboring man.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CELLER. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. I am not a crystal gazer, I cannot read tea leaves or the palm of the hand, but I do know, judging from facts and factors within the knowledge of all of us, that the President will never accept this bill because it is so unpalatable to the entire Nation.

I would be inclined to accept a labor bill doing away with jurisdictional strikes, doing away with secondary boycotts, doing away with sympathy strikes, and many on this side of the aisle would likewise accept such a labor bill, and so might the President, but the President is not going to accept a bill that is as tragically sweeping as this bill. It is hoped, however, that labor will purge itself and voluntarily do away with jurisdictional and sympathy strikes. But the pending bill makes it utterly impossible to have anything in the nature of collective bargaining. What does this bill do with reference to collective bargaining? Read the purposes of the bill on page 3, I think it is, and you will see they do away with the words "collective bargaining." They do not appear in the purposes of the bill.

But the National Labor Relations Act provides as follows in section 1:

> The denial by employers of the right of employees to organize and the refusal by employers to accept the procedure of collective bargaining leads to strikes and other forms of industrial strife or unrest.

You do away with that language by this bill, and therefore, perforce, anybody reading this pending bill will rightfully come to the conclusion that you not only do not put an imprimatur of approval on collective bargaining but intend to abolish collective bargaining. When you read the balance of the bill you can readily see that what you want to do is to do away with collective bargaining and have individual bargaining. What chance has the individual against corporations whose profits this year have been $3,000,000,000 above that of last year?

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. SMITH of Ohio. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I shall be compelled to vote against H. R. 3020, entitled "Labor-Management Relations Act of 1947." On the surface, this measure presents some attractive features, but when one goes into it exhaustively one finds them belying the underlying facts.

The Wagner Labor Relations Act and other so-called labor laws are the principal cause of most, if not nearly all, of the industrial strife that prevails. The way to cure this trouble is not by amending those laws but repealing them. The real cause of strikes and the evils that go with them is the intrusion of the political forces controlling the Government into the field of employer-employee relations. Unless and until the political element is taken out of this field, there can be no such thing as genuine industrial peace.

The measure before us puts more politics into employer-employee relations. It provides for another independent bureau in the executive branch of the Government headed by an Administrator appointed for life and removable only at the will of the President, who is vested with wide and sweeping dictatorial powers over both management and labor. This labor-management relations czar will be given absolute power to determine what questions can be considered before they reach the Labor-Management Relations Board, which Board under the bill replaces the National Labor Relations Board. It is provided that he shall be a party to all unfair-practices proceedings and "shall present such testimony therein and request the Board to take such action with respect thereto as in his opinion would carry out the policies of this act."

This man will be empowered to arbitrarily determine which proceedings shall be instituted, how they shall be conducted, and what evidence shall be introduced, and there is no appeal from his decision in such matters. An appeal to the courts can be had from the decisions of the Board but not those of the Administrator. Think of the serious implications that will be involved by vesting the Administrator with the extraordinary power of representing both complainant and countercomplainant in a controversy between them. Since politics would in practically all cases be dominant, imagine what abuses and injustices would be forthcoming out of this arrangement.

Whoever is appointed Administrator, by the very nature of things will be compelled to use his office to the limit to corral votes for the next and succeeding Presidential elections, just as is incumbent upon the National Labor Relations Board now to do. The administration of the act will be largely in the hands of the employer-employee relations czar. It seems unbelievable that a monstrous agency such as this should be set up in the wake of last November's election.

The bill does take away from labor leaders much of the power they now hold. That is fine. But what does the bill do with the power it takes away from the labor leaders? Does it give it back to the employers and employees to whom it legitimately belongs and from whom it was originally taken by the politicians through the Wagner and other acts and given over to union leaders? No; it vests the power it takes from the labor leaders in the politicians controlling the Government who will use it primarily for their own aggrandizement. And here it should be noted that the course which this act pursues is precisely the same that was followed by Communist Russia, Nazi Germany, and Fascist Italy. This procedure was basic in their program of regimentation.

What this bill provides is more politically managed labor relations and less union-official management of such relations. Both are part of the same process and both lead to regimentation and slavery. What the Nation really wants is neither of these. It wants a situation where employers and employees are free from both union-official and political control and solve their own problems. Of course, such an arrangement would result in some wrongs, but they would be puny indeed compared with the terrible wrongs that will inevitably be visited upon employees and everybody else if we continue on the road that the pending bill now takes us.

A lot is being said publicly about this bill outlawing the closed shop. The fact is, however, that it specifically legalizes the union shop, and, generally speaking, there is little difference between the two. The closed shop can hire only union members, whereas a union shop can hire persons who do not belong to the union but who are compelled to join within 30 days after receiving employment. It is provided that if not less than 51 percent of the employees in a plant vote for a union shop and the employer voluntarily agrees thereto, then a union shop is formed. Here lies one of the most vicious evils of the entire measure. To vest an employer and a majority of the employees of a plant with power to force their will upon a minority of the workers and compel them to pay tribute for the right to work is nothing short of involuntary

servitude. The Constitution forbids this and guarantees to every man the right to voluntarily join or not join a union, to work when, where, and at whatever occupation is open to him for employment, at any wage he can individually and voluntarily agree upon with an employer, without having to pay tribute to anyone.

After all, I cannot forget I took an oath to support and defend the Constitution of the United States.

Mr. POWELL. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, before we proceed any further I think the Republican leadership sponsoring this bill should clear up for the benefit of the people of this Nation a very important question. It has been stated on this floor that this bill was not written by Congressmen, by Representatives, it was written by corporation lawyers. It was admitted by one of the gentlemen of the Labor Committee the day before yesterday that he did consult with a Mr. Theodore Iserman in his office. We have before us telegrams and communications which indicate that not only Mr. Iserman wrote this bill but there are others, not Congressmen, not representatives of the people, who formed this bill. We have a telegram from an outstanding Republican addressed to us, Mr. Walter Cenerazzo, national president of the American Watchworkers Union, registered Republican, in Boston, Mass. He says that not only Theodore Iserman, a New York corporation lawyer who represents the Chrysler Corp., but also Michael Ahearn, research director for the Investors' League, and William Ingles, labor relations specialist for farm-equipment companies, wrote the most vicious aspects of this bill. I think the people of this Nation have a right to know whether this Congress is being run by the duly-elected representatives of the people or whether it is being run by corporation lawyers of monopoly business.

I have before me the copy of the opening of our hearings in the Labor Committee, and the very first witness called, who laid the foundations for this bill, was Dr. Metz, of the Brookings Institution. This book published by them, A National Labor Policy, is practically the bible of the present bill before us.

Is it possible that this Congress is being run not by the duly elected representatives of the people, but is being run by big business corporation lawyers? If so, who pays them? The people? No. Right now, the main one, Theodore Iserman is seated in the gallery watching these proceedings. Are you Republicans taking orders from him or are you taking them from the people who elected you? That is my question. Answer it if you dare. The American people have the right to know if the Republican Party has abdicated representative government.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from New York.

Mr. BUCK. May I ask the gentleman if he was present in the committee while the bill was being read line by line for amendment?

Mr. POWELL. No; I was not. What has that got to do with my question and with the charge that Mr. Iserman wrote this bill?

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Michigan.

Mr. HOFFMAN. How many days was the gentleman there when we were considering the bill?

Mr. POWELL. After the first few days, when I saw it was a rubber-stamp procedure, and we filed in like puppets and listened to whoever was there, from then on many of us on the Democratic side refused to go in longer. The times I did attend were a complete waste. Some of us did not attend one meeting outside of the first.

Mr. HOFFMAN. All during the hearings that procedure was the same, was it not?

Mr. POWELL. That is right.

Mr. HOFFMAN. Even when Van Bittner and William Green were there, the gentleman was not there?

Mr. POWELL. That is right. But do not evade the issue. I still am asking the question, Who are the men that wrote this bill?

Mr. HOFFMAN. Would the gentleman like to have me answer it?

Mr. POWELL. I would.

Mr. HOFFMAN. I can speak only for myself, but as far as I am concerned there was no one from any company or corporation or labor organization who aided me.

Mr. POWELL. I believe the gentleman.

Mr. HOFFMAN. I rewrote the Wagner Act myself in 1939, but I did not get it adopted. I never received any help from the gentleman on that.

Mr. POWELL. That is right.

Mr. HOFFMAN. All through the years I have been offering bills.

Mr. POWELL. I agree with the gentleman, because his amendment offered yesterday was absolutely sincere. He believes in what he offered yesterday, that this bill should wipe out all the rights of labor and not just be a subterfuge. I still ask the questions from the leadership of the Republican Party, who wrote this bill, because we of the Democratic side never saw it. Why is it that these corporation lawyers are still in our gallery directing this bill now? Who are they?

Mr. OWENS. The committee wrote the bill.

Mr. KLEIN. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield.

Mr. KLEIN. Would the gentleman from New York, who is now addressing the committee, ask the gentleman from Michigan [Mr. HOFFMAN] how many times he was present at the hearings? I say this without meaning any discourtesy to him, but I believe he would admit that he, himself, could not go along with the procedure that was followed during the hearings, and that is why he was not present at those hearings.

Mr. POWELL. We need not talk about that. It is not germane to my question, and I insist that my question be answered.

Mr. HOFFMAN. I would like to answer the question.

Mr. POWELL. I am sure that you can address the Committee for 5 minutes under the rules of the House and answer the question.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield.

Mr. OWENS. The committee wrote the bill.

Mr. POWELL. The committee did not write the bill. I am a member of the committee, and I speak for 10 men who never saw it until you shoved it down our throats. The committee did not meet until 24 hours before the bill was reported out on a 2-hour notice.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, although it may displease some folks, I am going to take time to answer the question of the gentleman from New York [Mr. KLEIN], which he asked his colleague the gentleman from New York [Mr. POWELL] to put to me as to why I was not present at more hearings of the Committee on Labor and Education. Well, when I was not there I was attending the hearings of the subcommittee of the Committee on Expenditures, which was investigating racketeering by extortionists who were sailing under union colors up in the Dock Street district of Philadelphia. We finally reported on that and filed a printed copy of the hearings.

I attended the hearings of the Committee on Education and Labor every time that there was a hearing when I was not on the other committee. I am sorry I cannot be in two places at once.

Another thing, the gentleman from New York [Mr. POWELL] made the statement, if I understood him correctly—and if I did not he can correct me now—that I wanted to wipe out all the rights of labor. That was your statement, was it not?

Mr. POWELL. All rights of labor under the present laws pertaining to the closed shop.

Mr. HOFFMAN. That is, the Wagner Act?

Mr. POWELL. Yes; under the Wagner Act.

Mr. HOFFMAN. The gentleman is absolutely mistaken. I have no doubt he believes that. You get some queer beliefs from that part of the country where he lives, and the rest of us who live out in the sticks are not responsible for those things.

Mr. POWELL. It is a part of the United States.

Mr. HOFFMAN. That is correct and that section I am glad to say gets all the benefits of our form of government, though some people who live there, and I am not referring to either of the gentlemen from New York, seem to be dissatisfied with our way of doing things. Contrary to the gentleman's statement, my whole effort ever since I first rewrote the Wagner Act in 1939 and put it in the RECORD in parallel columns with the original act and the Smith bill, has been to strive to correct the original act. I have striven all through this debate to give to the man who actually works with his hands and his back and his muscles

and his body—to give him some protection. As against whom? As against labor politicians and the labor boss, the racketeer and extortionist, as well as against the employer.

When this bill goes through, as it will go through, and if it becomes a law as it is now written, you will find the labor leader and the employer getting together and grinding between them, as between the upper and nether millstones, the man who works.

Those gentlemen who speak or pretend to speak, may I put it that way, although I have no doubt of their sincerity of their sympathy for the poor workingman, are just selling him down the river in denying him the right to work without being required to join a union.

Mr. LESINSKI. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the distinguished contractor from the State of Michigan and the city of Detroit.

Mr. LESINSKI. Is it not a fact that the way the bill is written it has broken down every union to an individual plant only and you are doing away with all unions?

Mr. HOFFMAN. No, no, no. That is not right. I am sorry.

Mr. LESINSKI. I am sorry—I can read English and other languages besides.

Mr. HOFFMAN. If the gentleman had attended some of the hearings and understood some of the American language used and written into the bill and if he had given us some helpful suggestions instead of sitting there and voting "present" when he came out of a doze, then he would have more knowledge about this situation. Those gentlemen who were there and slept through most of the proceedings answered when the roll was called either "no" or "present" should not now here be weeping and wailing. Sometimes they were physically present but not mentally present at the hearings.

Mr. LESINSKI. Will the gentleman admit—what chance did we have to offer anything when we were 4 against 18?

Mr. HOFFMAN. The same chance I had all through the years that I sat there under the distinguished leadership of the gentlewoman from New Jersey [Mrs. NORTON], who was then chairman of the committee.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I agree with the distinguished gentleman from Michigan [Mr. HOFFMAN] that he was one of the very few members on the majority side of the committee who did support some motions and suggestions offered by various members of the minority on the committee when we were holding open hearings. On a number of occasions I asked witnesses who testified at the open hearings whether or not the reduced take-home pay since VJ-day and the increased cost of living since VJ-day, and especially since price control was killed, did not contribute greatly to industrial unrest. During the open hearings after returning from my district from a week end, I called the attention of the committee to steel workers and wage-earners with large families in my district who had talked to me and stated that they were paying 23 cents for a half pint of cream, 21 cents for a quart of milk, a dollar a pound for pork chops, and outrageous prices for clothing and so forth. They requested that some of the heads of families in the industrial areas of America be called by the labor committee to testify about the struggle they were having. I placed that before the committee in the form of a motion, and I wish to state in all sincerity to the gentleman from Michigan [Mr. HOFFMAN] that he was agreeable to that request. But I was overruled on my motion by the chairman, with this statement, "I asked to call heads of families before this committee in order that the members from the rural areas could understand what a terrific struggle the heads of families in industrial areas have in trying to live and support their children under these high prices."

And the gentleman from New Jersey, the chairman of the committee, said, "I have already thought of that and I am going to do it."

I asked the chairman, "From what areas?" He said, "I have already invited some heads of families." And I again asked, "From what areas?" He said, "From up around Scranton." But the committee hearings closed and at no time did the chairman of the committee ask any heads of families to appear and testify as to the high cost of living.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. I yield.

Mr. OWENS. At any time during the hearings did you ever submit any of the statistical data from the United States department that has it, concerning those points?

Mr. MADDEN. Yes.

Mr. OWENS. If you had you would have seen that you are mistaken.

Mr. MADDEN. I brought in evidence from the workers themselves—wage earners who brought their sorry tale to me.

In connection with what the gentleman from New York [Mr. POWELL] stated, for over 2 weeks after the open hearings closed I was available in Washington at all times to meet with the majority members of the committee and the chairman to confer on drafting this legislation, but I did not receive a call from anybody until 2 hours before they wanted to vote on the bill. I did vote "present" on several occasions, because I did not even know what material was in particular sections. And as the gentleman from New York [Mr. GWINN] said on the floor the other day, he did consult this Wall Street lawyer on a number of occasions in his office during this 2-week period when the majority members went underground and pulled the iron curtain to the exclusion of most of the minority members, they had the aid of Mr. Iserman, the Chrysler lawyer, to draft this bill, which I do not think 50 percent of the Members on this floor know what is contained in its 68 pages.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. No; I do not yield.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. MADDEN] has expired.

By unanimous consent, the pro forma amendments were withdrawn.

Mr. MACKINNON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Minnesota is recognized for 5 minutes.

Mr. MACKINNON. Mr. Chairman——

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. MACKINNON. I yield.

Mr. BARDEN. I have a very high regard for the gentleman from Minnesota, as he knows, and I hope he will not misunderstand me in this. I do not know what set off this endurance test we seem to be engaged in, but we have some rather important amendments before the House, and I do hope we can get back on the track and act on the amendments and proceed with the bill. I am sure the gentleman will concur in that expression.

Mr. MACKINNON. I thank the gentleman I agree. I just wanted to say to the gentleman from Indiana, and to the House, that it is a well-known fact that you cannot write legislation with some person who is interested in writing legislation if you are sabotaged at every turn of the road by those who are not interested in writing legislation. Frankly, the gentleman from Indiana and the other members of the committee on the Democratic side who today complain about not being consulted are a part of a very small group in this House who are not interested in any major legislation on this subject. That is the reason they were not consulted, and I submit it is a good and valid reason. The Democratic members who were interested in legislation were consulted. The Nation is interested in some action to curb labor abuses and they are entitled to have this House act without further delay caused by those who are not interested in any labor legislation.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. MACKINNON. Not at that point. I want to be brief.

Mention was made of wages. Wages can be cut down very materially by disastrous strikes, as they have been in the last year or two. Just to bring this home to you today and to show you how it hits the worker I have here a short resolution sent me by a labor union in my district, received this morning by special delivery air mail. This is not one of those anonymous communications, this is a real one and comes not from an individual but from a special meeting of the Commercial Workers, Local 2235, Lawrence Wennell Post, Minneapolis. That is a telephone workers' union now out on strike in Minneapolis. The communication I have in my hand is a copy of a resolution they have sent to their leadership, and it reads as follows:

APRIL 14, 1947—2:20 P. M.

Whereas there is a growing feeling of skepticism and unrest as to the outcome of the strike, continuous out-of-pocket loss causing financial hardship of all of our members, whether commercial, accounting, plant, or traffic; and

Whereas there is now a stalemate in negotiations that seemingly cannot be broken in Washington: Now, therefore, be it

Resolved, That the State officers, the general board officers, and the representatives of our union on the national policy committee of the NFTW be apprised of the fact that the collective sentiment of the commercial workers demand whatever expeditious action is deemed necessary to terminate the strike.

That is where a great deal of the loss of wages has come from, strikes that the rank and file cannot control once their so-called leaders take over.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. MACKINNON. I yield to my colleague on the Education and Labor Committee from Indiana.

Mr. MADDEN. I wish to thank the gentleman and commend him for the statement he made just previous to the last statement. He is the first member of the majority on the committee who has admitted to me that during that 2-week period the majority members pulled the iron curtain down, that they had meetings drafting this legislation.

Mr. MACKINNON. Certainly the gentleman does not believe that we were doing nothing. We were writing laws to cure the labor abuses in this Nation. But what was he doing? He had the same opportunity as the other members of the committee to draft legislation himself in that period of time and to then bring it before the committee or to this House in the form of an amendment.

Mr. KELLEY. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. HARTLEY. Mr. Chairman, will the gentleman yield for a consent request?

Mr. KELLEY. I yield.

Mr. HARTLEY. Mr. Chairman, I ask unanimous consent that all debate on this amendment conclude in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. KELLEY. Mr. Chairman, I just want to make reference again to House Joint Resolution 83 which has been before the Labor Committee since January 23, and which follows the suggestions of the President in his message to the House earlier in the year. It seems that the Governor of Massachusetts, who is a very renowned and distinguished Republican, proposed the same thing to the legislature of that State. I wish to quote a few lines from his report:

In my inaugural message I informed you that I had asked nine leaders in the field of industrial relations to recommend to me such changes in our existing laws as they believed to be most helpful to narrow the area and limit the damaging effects of industrial disputes. I took this step because I am convinced that the road to progress in this field lies through labor-management understanding, rather than by government intervention.

I wish also to quote the last paragraph of that report to the legislature:

To my knowledge this is the first time in industrial history that so comprehensive a subject has been so conscientiously studied to an ultimate, unanimous agreement by representatives of every group affected. Molded by you into legislation, this Massachusetts plan can become a modern Magna Carta for labor and industry.

Respectfully yours,

ROBERT F. BRADFORD,
Governor of Massachusetts.

I mention that because this plan of the minority Members to have this resolution adopted has been a failure, and a great many Members on the majority side seem to ignore the fact that we do have something constructtive to offer. The reason we offered this resolution was because we felt that the problem is so deep that it would require a great deal of study, especially as to the causes of labor unrest and labor disputes. However, nothing has been done about it. Instead of that, we take up all of our time trying to cure symptoms and not causes.

Mr. MCCORMACK. Mr. Chairman, will the gentleman yield?

Mr. KELLEY. I yield to the gentleman from Massachusetts.

Mr. MCCORMACK. I may say in connection with Governor Bradford, of Massachusetts, that the heart of his recommendations is a strong conciliation service, which he calls labor's Magna Carta. We have a Governor of Massachusetts who is a Republican in politics recommending a strong conciliation service as labor's Magna Carta for the Commonwealth of Massachusetts, and a Republican Congress destroying a conciliation service for the National Government. In connection with the observation made by the gentleman from Minnesota, it is a very questionable practice having outside people with strong personal connections and financial interests sitting in with any group. In all the years I have been a member of committees, we have sat as a committee. I never remember any Democratic member sitting in and having the representative of an outside interest also present advising with us.

Mr. KELLEY. And paid by somebody else.

Mr. MCCORMACK. It is all right for members to sit in and confer among themselves, but not with outside persons who have no interest in the Government sitting in to advise them. I have never sat on any committee where there was anyone represented other than a Member of the House and members of the committee staff. Certainly, on no occasion did we have anybody representing outside interests sitting in collaborating with us on policy and probably undertaking to establish a policy. That is something which is inimical to our democratic institutions and to our Government.

Mr. KELLEY. I thank the gentleman from Massachusetts.

Mr. HARTLEY. Mr. Chairman, will the gentleman yield?

Mr. KELLEY. I yield to the gentleman from New Jersey.

Mr. HARTLEY. I am getting a little sick and tired of all these insinuations that are being carried on and the misinformation that is being handed out to the House. Let me say that at no time when the Republicans were in conference trying to prepare and draft a bill to be presented to the committee was any outsider present.

Mr. LANDIS. Mr. Chairman, will the gentleman yield?

Mr. KELLEY. I yield to the gentleman from Indiana.

Mr. LANDIS. That is a point I want to make clear. The inference that Mr. Eiserman was in our committee is not correct. He was not in our committee. He may have conversed with one member of the committee.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. All time has expired.

The question is on the amendment offered by the gentleman from Wisconsin [Mr. KERSTEN].

The amendment was agreed to.

Mr. OWENS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OWENS: On page 39, line 15, after the word "employee", insert "who has been suspended or discharged."

Mr. OWENS. Mr. Chairman, I would like to have the attention of the House for just a few minutes, because this amendment is important. It is simple, but you will miss the point unless I am able to put it across to your clearly. The committee, during the entire course of the proceedings, was watching very carefully through absolutely every line in the bill that there would be nothing done whatsoever that would harm any worker or employee in any way.

Mr. HARTLEY. Mr. Chairman, if the gentleman will yield, this is merely a clarifying amendment. The committee is willing to accept it.

Mr. OWENS. I understand the committee is willing to accept it, but I would like to explain the situation. It is a technical error that was made. It reads this way, on page 39, line 13:

No order of the Board shall require the reinstatement of any individual as an employee, or the payment to him of any back pay, unless the weight of the evidence shows that such individual was not suspended or discharged for cause.

As that reads, it would be possible for the Board to reinstate the employee or allow the employee back pay only in the event he was suspended or discharged, whereas he is entitled to back pay in case of a strike, lockout, or any other suspension of work arising as a result of an unfair labor practice which would entitle the employee to that back pay. For that reason, after the word "employee" in line 15 I have offered the amendment, so that that particular paragraph is limited to the case of a man who has been suspended or discharged, and any one who has lost his job because of other unfair labor practices would be able to receive his back pay and be reinstated to his work, by virtue of other provisions of the bill, and particularly section 10 (c) thereof.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. KENNEDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KENNEDY: On page 34, in lines 21 to 25, inclusive, strike out the following: "and must state that the employer's agreement to such provision was not obtained either directly or indirectly by means of a strike or other concerted interference with the employer's operations, or by means of any threat thereof."

During the last 2 days this House has overwhelmingly rejected the open shop being written into law. But as the bill now stands if the employees voted by a majority that they should have a union shop—not a closed shop but a union shop, they must get the approval of the employer before they can install a union shop. They cannot bargain for it. They cannot strike for it. They have to get his written approval and they must, to use the language of the bill under oath "state that the employer's agreement was not obtained directly or indirectly by means of a strike or concerted interference with the employer's operation or by any means thereof." If the employees by a majority vote approve the union shop, it seems to me that they should have the right to install a union shop and that it should not depend on the consent of the employer.

It seems to me the union shop is the employees' business. Therefore, under the amendment I have offered, the union members have a right to bargain for the union shop. I think that is the only fair way to have it.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Is it the gentleman's contention that the employees themselves should have the privilege of imposing the union shop, even if the employer objects? Is that the purpose of the gentleman's amendment?

Mr. KENNEDY. The purpose of my amendment is that they should have the right to bargain for the union shop, which implies the right to strike for a union shop.

Mr. KNUTSON. They have that right now.

Mr. KENNEDY. Not the way this bill is written. It must be given voluntarily by the employer. Therefore, it would probably be seldom given. I think they ought to have the right to strike for it. As long as a majority of the employees vote for it it is their privilege, I think, to have the union shop. That is the reason for this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. KLEIN) there were—ayes 41, noes 104.

So the amendment was rejected.

Mr. LANHAM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LANHAM: On page 28, line 15, strike out the comma and the remainder of the paragraph down to and including line 19 and insert "their employer."

Mr. LANHAM. Mr. Chairman, I came to Washington as conscious as any of you of the arrogance and excesses of many of the labor leaders. I came, too, with just as much determination as any one of you to try to correct its abuses and to enact a constructive management-labor relations act.

But I did not come here to and I do not intend now to have any part in weakening and eventually destroying the labor-union movement in America. H. R. 3020 does correct some of these evils but it contains also insidious and obnoxious provisions that would reduce labor unions to impotence and make them little more than social organizations. Much as I want to improve the relations between management and labor, I cannot be a party to this effort to destroy labor unionism. To pass this bill to cure our labor ills would be equivalent to cutting off one's head to cure a headache.

If you who are supporting this bill are sincere in your protestations of love for the workingman and his unions then you have had the most colossal April-fool joke of the season played upon you by the attorney for the NAM who is reported to have had a big hand in drafting the bill or by whatever influence antagonistic to labor did draw it.

One of the most insidious and misleading provisions and one that would mean the severe crippling of the labor unions is the proviso in section 9, subparagraph A. The proviso is:

Provided, That any individual employee or group of employees shall have the right at any time to present grievances to, and settle grievances with, their employer without the intervention of the bargaining representative if the settlement is not inconsistent with the terms of a collective-bargaining agreement then in effect.

My amendment proposes to strike the latter portion of this provision in section 9 (a).

The present act provides that a representative designated by a majority of the employees in an appropriate bargaining unit will be the exclusive representative of all the employees in such unit for the purpose of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment, provided that any individual employee or group of employees shall have the right at any time to present grievances to their employer. In military terms, the attack upon this section is a flanking one. It is being made as the proviso rather than the main part, but in such a form that it actually repeals the principal section by negating the principle of collective bargaining and majority rule established by this section. To grant individual employees or minority groups of employees the right to present and settle grievances which relate to wages, hours, and conditions of employment without permitting the representative of the majority of the employees to participate in the conference and join in any adjustment is to undermine the very foundations of the act. To create rivalry, dissension, suspicion, and friction among employees, to permit employers to play off one group of employees against another, to confuse the employees would completely undermine the collective-bargaining representative and would be disastrous.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. LANHAM. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BREHM. Mr. Chairman, will the gentleman yield for a question?

Mr. LANHAM. I yield.

Mr. BREHM. Could that not be taken care of in the collective-bargaining agreement? In other words, the agency that was making the bargaining agreement would say that that could not be done, and then that group could not do that. That could be put in the collective-bargaining agreement.

Mr. LANHAM. Of course it could, but if the employer did not agree, the employees would be without a remedy.

Mr. BREHM. But what if the employer would agree to it?

Mr. LANHAM. I cannot yield any further.

The foregoing consequences of requiring individual and group bargaining despite the certification of a collective-bargaining representative are not imaginary. Soon after the Wagner Act was held to be constitutional, so-called labor relations advisers sold their services to large textile corporations on the premise that through the medium of the proviso in section 9 (a), they could guarantee the destruction of a labor union. Many unions succumbed quickly because favorable settlements occurred only when the workers sought adjustment alone. The workers soon found that the union had evaporated and the employer then returned to his former practices of denying all reasonable requests. They were then forced to start all over again and establish a new union.

If you are sincere in your statements that you do not want to destroy unionism you will vote for this amendment.

If you are sincere in your belief that the union contract should be preserved, why is it that you deny employees the right even to bargain with their employer to obtain this right?

Another provision that makes it impossible for me to vote for this bill is the provision to carve out craft units from larger units of employees.

If you pass this bill as I know you will, without even the amendment offered on yesterday by the gentleman from Indiana to preserve the trust funds of certain unions and if the other body should concur in this evil bill, I thank God we have a man in the White House who has the courage to defy and conquer arrogant labor leaders but who also has the courage, I am sure, in the face of Nation-wide hysteria, to veto such an infamous bill as this.

Mr. HARTLEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as I understand the gentleman's amendment, it would strike out a right which this bill gives to the in-

dividual employee to go to his employer on a personal grievance which he might have and have it settled between himself and his employer without having to go to some bargaining committee or bargaining agent. Of course, provided that the subject matter that he wished to discuss with his employer is not contrary to the terms of the collective bargaining agreement then in effect.

The effect of this amendment would be as I have said, to deny the individual employee a right which this bill gives him.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. HARTLEY. I yield.

Mr. OWENS. Is it not a fact that under this provision we have gone in accord with the decisions of the Supreme Court of the United States, which hold that where employees have a grievance, for instance in connection with the recovery of a certain amount of money claimed due from an employer, they can go to him and complain about it and settle it without having a bargaining agent? We have not in this section 9 (a) of the bill said anything about wages, terms, conditions of employment, as stated by the gentleman from Georgia [Mr. LANHAM], but we have specifically said it does not include the making of any settlement inconsistent with the terms of the collective-bargaining agreement then in effect, that is, at the time of the discussion and settlement.

Mr. HARTLEY. The gentleman from Illinois [Mr. OWENS] is absolutely correct in that statement.

Mr. Chairman, I urge that the amendment be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. LANHAM].

The question was taken; and on a division (demanded by Mr. LANHAM) there were—ayes 39, noes 78.

So the amendment was rejected.

Mr. JENKINS of Ohio. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS of Ohio. Mr. Chairman, this bill which we are now considering comes before us under circumstances much different than those which attended the consideration and passage of the Case bill in the Seventy-ninth Congress.

The Case bill was presented to the House for consideration as a substitute for a bill which had been reported to the House by the Labor Committee and which not one single member of that committee favored. I doubt whether a similar situation had ever before been developed in legislative procedure.

When the Republican leadership saw that the Labor Committee, which was then under the leadership of the New Deal, was not going to bring out any labor legislation it proceeded to take action to see to it that some legislation would be considered and the Case bill was prepared. This bill was not satisfactory to many of the Members, including myself, but it was a step in the right direction. The people were demanding some changes in the Wagner Act and some relief from mass picketing and from other labor troubles. It will be remembered that the President vetoed the Case bill and thereby refused to assist in the passage of any labor legislation although he was loud in his protestations that something should be done.

By reason of the failure of the New Deal to act at that time the country has seen a large number of labor disputes develop with the accompanying loss of time and wages to the workers and the loss of production which the country needs so badly.

There is no doubt that there is a great deal of dissatisfaction in the country generally arising out of strikes and many of the incidents connected with strikes. There is also no doubt that the American people are strongly in favor of any reasonable program that would bring peace and harmony in the industrial world. If mass picketing and jurisdictional disputes, out of which come so many of these boycotts and secondary boycotts, could be prevented the sentiment of the people on the labor question would be materially changed. I think that the Labor Committee of the House of Representatives deserves a tremendous lot of credit for the diligence it has shown in attempting to meet this labor situation, but I think in their zeal they have extended their legislative area a little farther than was necessary to relieve the situation. They have created a number of new situations which may cause a great deal of trouble. These new situations might tend to be destructive in some respects or they might be too rigid in other respects.

This was exemplified very plainly yesterday when the House was considering this measure. I think it would have been the part of wisdom if the committee had agreed to two amendments that were offered yesterday. Both of these were offered by the gentleman from Indiana [Mr. LANDIS], who is a member of the committee and who is a recognized authority on labor legislation.

One of the amendments to which I refer would have placed in the bill a provision with reference to trust funds. This provision was included in the Case bill, which passed both branches of Congress. It was a provision that would have given to the employer the right to make payments to a trust fund established for the benefit of employees and their families to provide for medical and hospital care, for funeral benefits, and for other similar purposes. The bill in its present form makes it unlawful for employers to contribute to these funds. And I am not sure but that the language in the bill is so tight as to seriously jeopardize the many trust funds already set up by many industries in the Nation whereby their employees are given protection in case of sickness and death, and so forth. The vote in the House yesterday on this amendment was 117 in favor of the amendment to 126 against the amendment. I voted in favor of the amendment because I felt that the failure to include this amendment in this legislation may render a very serious hardship on many worthy organizations.

No doubt the total money held in these various trust funds all over the country will amount to a tremendous sum. If this bill that is now under consideration is passed, it will hamper the distribution of these funds and impair their solvency. We should, while we yet have time, look into this matter carefully and do what is right under all of the circumstances. The distribution of these funds has nothing whatever to do with jurisdictional strikes and with boycotts, and so forth. While I feel that the other branch of Congress will, when this bill reaches that branch, see to it that this amendment is put into the bill, still I feel that since this sort of legislation is primarily the first responsibility of the House and that we should have assumed that responsibility completely before we sent this bill to the Senate for its consideration.

The second amendment which should have been adopted yesterday is the amendment that deals with the matter of industry-wide collective bargaining. Several Members who spoke yesterday indicated that this was the very heart of the bill. I think that it is unfortunate that the committee brought into this bill the matter of industry-wide collective bargaining because it is not one of the contributors to the labor troubles against which the people are complaining. In fact, I think that industry-wide collective bargaining has contributed much to the benefit of both the employers and the employees of the country. Especially is this true in the coal industry. The coal industry was the first big industry of the land to adopt this system establishing agreements between employer and employee. In the early days when mine owners dealt directly with their own employees and with no one else, there was much discord and dissatisfaction because the agreement existing in one mine might be entirely different from that existing in another mine nearby. The result was the lack of uniformity and constant turmoil.

When the industry-wide system was adopted it meant that the work around the mines was classified and the wages were agreed upon for the various classifications in accordance with the work done by the various classes. In that way stability came to the industry and at the same time the employees were better satisfied because they were treated alike in the various mines and there was an incentive for the younger miners to improve their skill and ability to get out of the lower classes into the higher classes where the work was of a higher standard and where the wages were likewise of a higher standard. I feel sure that this bill, if passed by the House and goes to the Senate, that body will take out of it this section that refers to industry-wide bargaining. I feel sure that it would be for the best interest of industry and the employees and the country also.

While Mr. LANDIS' amendment did not receive enough votes to carry it in the House, it did receive a very substantial

vote. The debate on the Landis amendment enlightened the membership greatly and there was a strong sentiment to the effect that something should be done to relieve that situation. This sentiment was crystallized when Mr. KERSTEN's amendment which was offered today was received with great favor and was accepted by the Committee of the Whole House on the State of the Union by a very large majority. While the Kersten amendment does not do what the Landis amendment would have done, still it relieves some of the strictures which would have been imposed by the bill had the Kersten amendment not been accepted. The action of the membership of the House today will go a long way toward bringing to the Senate the proper impression of the real sentiment of the House. I think the real sentiment of the House is not to pass punitive or destructive legislation. What the House wants to do is to pass a labor bill that will remove undesirable practices and will bring about a finer relationship between the employers and the employees of the country.

As I stated in the beginning, this legislation is not entirely satisfactory to many of the members. I think that if it is passed by the House in its present form that the Senate will remove the objectionable features of the measure to which I have referred.

Mr. JENKINS of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JENKINS of Pennsylvania: On page 31, line 13, strike out the word "and" and insert in place thereof the word "or."

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. JENKINS of Pennsylvania. Mr. Chairman, I shall not take the full time allotted to me because I think this is a very simple amendment.

As I read this section it seems to me it is designed to prevent the monopolistic effect of industry-wide bargaining on a national scale. I believe, however, that all of those who are concerned with the problem recognize the fact that there are a number of unions which have rendered distinguished service in their fields. Among them, for example, is the clothing workers' union of New York City.

As the provision now reads, in order for a bargaining agent to represent the employees of a competing employer two things must be conjoined, first, that the plants involved have less than 100 employees, and second, that they be within 50 miles of each other.

The amendment I have offered is designed to make it possible for bargaining agents to represent employees of competing employers in either of those two events. I happen to come from the anthracite coal fields of Pennsylvania. Bargaining has been conducted on an industry-wide basis there ever since the strike of 1902. It has been a convenience to employers and it has been distinctly beneficial to the employees. During that time there has grown up the Anthracite Conciliation Institute, which has rendered distinguished service to the community.

To compel the unions in the anthracite coal field, for example, to bargain with each company would mean that approximately 200 contracts would have to be recognized. The same thing would apply, for instance, in New York in the garment industry. My amendment would eliminate that difficulty. It would likewise, it seems to me, permit a situation to be corrected which has arisen in my industry in other sections where small employers have gotten together and put in such shop conditions which could be eliminated if the unions or the bargaining agent could represent the employees of a number of the plants; but for either of these two reasons those plants do not fit into the scheme of the bill as written.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Pennsylvania. I yield.

Mr. McCONNELL. Does not the gentleman believe that by making this change from "and" to "or" it really restores industry-wide bargaining, for instance, in areas like the Detroit section where most of the automobile companies are located within 50 miles of one another?

Mr. JENKINS of Pennsylvania. It would permit it, of course, in that particular area so far as the automobile industry is located there; but it seems to me the advantages of it outweigh the disadvantages.

Mr. CORBETT. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Pennsylvania. I yield.

Mr. CORBETT. Does not the gentleman believe that the adoption of his amendment would simply restore what has been the historical practice in this industry and that its general effect would be highly beneficial, particularly in the anthracite coal industry?

Mr. JENKINS of Pennsylvania. That is perfectly true. I believe it would apply to such areas as Pittsburgh and other industrial cities where employees are operating and working under generally the same conditions. In other words, this would permit what is known as area bargaining.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. HARTLEY. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, the gentleman from Pennsylvania who offered this amendment discussed the matter with me on a previous occasion and I tried to find my way clear to accept it, but, contrary to the opinion that he has expressed here, I think the amendment will do more harm than good. As a matter of fact, it would permit, as he admits, monopolistic bargaining in the automobile industry and in many other industries. It would destroy one of the main objectives of this bill which is to break down authority to call strikes which can cripple our entire economy. I hope, therefore, that the amendment offered by the gentleman from Pennsylvania will be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. JENKINS].

The question was taken; and on a division (demanded by Mr. JENKINS of Pennsylvania), there were—ayes 40, noes 99.

So the amendment was rejected.

Mr. BELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BELL:

Page 33, line 15, after the word "is", insert "or ever has been."

Page 33, line 20, after the words "or is", insert "or ever has been."

Mr. BELL. Mr. Chairman, this is a correcting amendment to paragraph 6 on page 33 which provides that any person who is a Communist or belongs to certain Communist organizations shall not be an officer in a union. I am in thorough accord with the purpose of that paragraph which is to protect the future of this country against the impending danger of having Communists in control of our great American labor organizations.

As the paragraph is now written before amendment, in my humble judgment it would be wholly ineffective to carry out the purposes for which it was intended. The vast majority of the leaders in our labor organizations are good Americans. Unfortunately, here and there Communists have gotten into positions of authority and control. It is well known to every true American in this Hall today that it is a part of the Communist creed that, whenever it becomes expedient, it is perfectly proper to lie and to deny membership in the Communist Party in order that they may go on serving that organization, so that if this act be passed and the paragraph is left unamended, the only thing necessary for the Communist labor leader to do would be to announce that he was no longer a Communist and continue uninterrupted in the service of his masters in Moscow.

I am certain that every real American who is here today is concerned over the possibility of that thing happening. As I say, it is a perfecting amendment, but in my judgment it might, at some future date, save America from the tragedy that happened to France. You Members of this body have not forgotten how the Maginot Line crumbled like a piece of chalk and how an army that 3 months before had been announced by every recognized military authority in the world as the greatest army on the Continent of Europe crumbled like pie crust underneath the wheels of the juggernaut. The reason for that is well known today. The industries in France were paralyzed in the months preceding that critical hour. They could not produce the munitions of war for the armies of France because the war industries of that unfortunate nation had been infected and paralyzed by the virus of ungodly communism.

Gentlemen, let us attend to this now. Your yea or your nay on this vote may determine the history of this country a decade hence; who knows? The eyes of America are looking upon you in this moment, and it is up to you to protect those folks back there at home.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman from Georgia.

Mr. LANHAM. I am in favor of this portion of the bill and of the gentleman's amendment, but the thing that has been bothering me is who is to determine whether a man is a Communist or has been? Who is to determine that, and on what principle? Is the man given a hearing or who is to determine whether or not there are communistic officers in a labor union?

Mr. BELL. The gentleman is, I think, a member of the Labor Committee, is he not?

Mr. LANHAM. No.

Mr. BELL. While I am not an expert on this bill, though I read it the other night, my understanding is that if a man is shown to be a Communist he will come within the purview of this paragraph and will be taken care of according to the terms of this bill; that he will no longer have rights as an officer in a labor organization if it is shown by testimony in any court or before the board, provided by this bill, that instead of being a true American he is, in fact, an agent of a foreign country and a member of a body or organization whose sworn purpose is to destroy the rights and the liberties of America.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. HARTLEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is with very great reluctance that I oppose the amendment which has just been offered. I understand thoroughly the purpose of the amendment, and I want just as much as the gentleman who offered it to drive Communists out of our labor organizations, but I do not want to deprive one who has seen the light and who has made an honest reform of the right to be a member of a labor organization.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. HARTLEY. I yield to the gentleman from Missouri.

Mr. BELL. May I ask the gentleman if in his heart he believes that any man who ever in his life has been a member of an organiaztion whose sworn purpose is to destroy the rights and liberties of the people of this country, who either knowingly or ignorantly has belonged to that sort of an organization, is fit to be a leader of a great labor organization?

Mr. HARTLEY. I recognize that it is rather difficult to believe that one who has been a member of an organiaztion that we understand has as its avowed purpose the overthrow of this Government can properly reform, but I have in mind such persons as Mr. Budenz. I may be in error in my judgment there, but I do believe that in that instance we have a man who has seen the error of his ways and who has disavowed completely his former ways.

Mr. BELL. As I see it, this is a question as to whether we prefer to preserve the right of a man who either was a knave at heart or else was too dumb to realize what he was doing to be not only a member of a labor organization but to serve as its leader, or whether we prefer to preserve the rights and liberties of Americans and to protect this country against what I humbly believe will be one of the greatest dangers to face us in the years to come. Which shall we choose? I think we will vote upon that question when we vote upon this amendment.

Mr. HOBBS. Mr. Chairman, will the gentleman yield?

Mr. HARTLEY. I yield to the gentleman from Alabama.

Mr. HOBBS. If all of those that would be aimed at by the amendment offered by the gentleman from Missouri were in the class of the gentleman to whom the the chairman of the committee refers, of course, there could be but one answer, but I understand that the attitude of the gentleman from Missouri, and I think he is right in it, is that this amendment is striking at the members of that group on whom the spotlight was thrown by the decision of the Supreme Court in the Joe Strecker case. He raised the point that although he still believed in world revolution, although he still invested every dime of his savings in Russian bonds, although he had been a Communist and still believed in the tenets of communism, yet he had ceased to pay his dues and therefore was not a member of the Communist Party. He had his card and he kept up his dues until about the time he was ordered deported, when he ceased to pay his dues and claimed to have evaded the very pertinent provisions of the statute because of that fact. I believe cases of that kind comprise the far greater number. It is typical. It may be, and my opinion is, that the amendment offered by the gentleman from Missouri [Mr. BELL] is very important and would strengthen the bill.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. HARTLEY. I yield to the gentleman from Pennsylvania.

Mr. McCONNELL. May I say in reply to the gentleman from Alabama that I believe this bill takes care of that when it says "believes in, or is a member of or supports any organization that believes in or teaches the overthrow of the United States Government by force," and so on. I would say that the very facts the gentleman has presented here show that that man still believes in that type of organization. While he may not have paid the dues, he is still a supporter of it and is willing to aid it. I think the bill covers that. I do not like the idea that we shall not recognize that a human being does reform, for it is human to make mistakes and err in this world, or, after he does reform, that we shall hold him down from any future opportunities that arise in the profession he chooses, in the labor-union movement in this case.

Mr. BARDEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment, and do so for the purpose of exchanging views with the chairman of the committee. I share his views that we should not do too much tinkering with the bill on the floor of the House. But I am wondering if this can truly be called an amendment, and if it is not in the nature of a clarification really. I think it was the purpose of the committee to put every safeguard possible around the membership of labor organizations and to save them from the troubles and grief that would come from this type of leadership.

Mr. HARTLEY. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. HARTLEY. That is exactly what we want to do. I am in full sympathy with the intention of the gentleman from Missouri.

Mr. BARDEN. Let us reason out loud just a little bit. I am not so sure that with the language now contained in the bill we quite accomplish what both you and I want.

The bill says "is a member." We might very easily run into a situation where a fellow says, "Yes; I was a member last week, but I am not now." Or he could even say, "I was a member yesterday, but I will swear I am not a member now." And both you and I know that a Communist has no more regard for his oath than a frog does for a mud puddle.

Perhaps the chairman can work this out. There ought to be some way of making certain on this undetermined and indefinite element in the bill. Unless we can work it out, I wonder if the safest thing to do would not be to add the language of the amendment offered by the gentleman from Missouri [Mr. BELL] it being in the nature of a clarification, because I just do not believe that a man who has been a Communist could cleanse himself so quickly to the point where he would be a suitable leader or officer of a labor union. I am afraid we would be exposing the members to something that both you and I literally detest. If I am wrong, I would appreciate being shown.

I obtained the floor merely for us to reason it out a little.

Mr. HARTLEY. It is my contention that the things we are trying to do here are already covered by the language in the bill as it now stands without this amendment.

Mr. BARDEN. Of course, the gentleman believes that this amendment does no harm. I do not mind doing harm to a Communist; that does not bother me a bit, because they do not mind doing me and my Government harm. But I am just wondering if we are really depriving a person who is justly entitled to something? I do not think a fellow who has been committed to a policy of the destruction of our Government ought to be permitted to go in and help govern the destinies of a labor organization.

Mr. HARTLEY. The point I make is that this would bar the man who has made an honest reform.

Mr. BARDEN. The thing that troubles me is: How long ago is that reform supposed to have taken place? How long must it be before that reform is regarded as honest? Can he say, "I was a Communist yesterday" or "I was one last week or last year"? I am afraid under the language of this bill that would cleanse him and I think it would take much longer than that to cleanse him.

Mr. HARTLEY. Is it not a fact that under the terms of this bill that judgment would be left to the employer, and then it is up to the employer to prove that the reform has not been sincere?

Mr. BARDEN. I do not know whether we ought to go to that much trouble or not. It leaves it with too much uncertainty. I was in hopes that we could insert the language of the proposed amendment in the bill for the purpose of clarification.

Mr. HARTLEY. I yield to the gentleman from Missouri [Mr. BELL].

Mr. BELL. It has for a number of years been common practice where Communists have been caught in positions that they had no right to be in to immediately deny the fact that they were Communists. If this paragraph is not amended, we might just as well strike it out of the bill, because it will be entirely ineffective.

Mr. HARTLEY. The argument of the gentleman has been so persuasive that the chairman of the committee is inclined to accept the amendment.

Mr. BARDEN. I thank the gentleman.

Mr. BELL. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. BARDEN] has expired.

Mr. POTTS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I hold no brief for the Communists, but I know there are a number of young people all over the country today who are making mistakes and I want to give them the chance to repent. Members of the American Youth for Democracy, that communistic organization which I deplore, comprise many of those young people. I do not want to deprive the members of that group, who subsequently repent of their wrong, from ever earning a living in any field of proper endeavor. I think the amendment is wrong for this reason.

The bill as now worded covers two situations. If an individual is a member of the Communist Party he is out the window.

Second, if by reason of active and constant promotion or support of those policies, then, too, he is out the window, even though he is not listed as a member of that party.

That means that if one is a member of the Communist Party today, and tomorrow he says he is not, he is still out the window, because his past procedure, without any change having occurred, has been active and constant promotion or support of those policies which are communistic.

That person whom you are trying to eliminate from union leadership is taken care of by that language. What you are doing by adding this amendment is preventing a person who has made a correct adjustment of his situation and has actually given up the Communist Party and principles, such as Louis Budenz, from ever performing the functions which any other citizen not otherwise disqualified would be allowed to perform.

I think we ought to reject the amendmend for that reason.

The CHAIRMAN. The time of the gentleman from New York [Mr. POTTS] has expired.

Mr. HOBBS. Mr. Chairman, I rise in opposition to the pro forma amendment.

I do not believe that any one of the three points raised by the gentleman cover the subject. We ought not take any chances. As Mr. Justice Oliver Wendell Holmes, when on the Supreme Court of Massachusetts, said:

> We do have guaranteed by the Constitution of the United States freedom of speech and action, but no man is guaranteed the right to be a policeman.

So it is not a question of honest reformation. It is but the expression of positive preference for those who have never needed reformation to qualify them for positions of powerful leadership. We have enough good Americans who believe in and conform to the principles of our Constitution and laws to man our ship of state and all organizations within our Nation.

Mr. BREHM. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am delighted to yield to the gentleman.

Mr. BREHM. The gentleman remembers Aesop's fable of the gentleman who found a cold, stiff rattlesnake and took it to bed with him to get it warm, because he was sorry for it, and when it warmed up it bit him. I think the same thing might happen here.

Mr. HOBBS. The point of the gentleman is well taken—our sympathy must not lead us into jeopardy.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HARTLEY. Mr. Chairman, I ask unanimous consent that all debate on this amendment and on this section close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

Mr. McCORMACK. Mr. Chairman, reserving the right to object, does that include all amendments thereto? I suggest that the gentleman amend it.

Mr. HARTLEY. Mr. Chairman, I amend my request and ask unanimous consent that all debate on this section and all amendments thereto close in 15 minutes.

Mr. CRAWFORD. Mr. Chairman, reserving the right to object, how many minutes will that allow those who wish to speak on this particular proposal?

The CHAIRMAN. The Chair sees 11 Members standing seeking recognition on the section.

Mr. EBERHARTER. Mr. Chairman, further reserving the right to object, may I inquire how many amendments are on the desk pending to this section?

The CHAIRMAN. The Chair does not know that all of these amendments will be offered, but there are five amendments now filed at the desk.

Mr. EBERHARTER. I wonder if the gentleman will not reconsider and allow us a little more time?

Mr. HARTLEY. Mr. Chairman, I further modify my request and ask unanimous consent that all debate on this section and all amendments thereto close in 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. The Chair will state for the benefit of the membership that he has listed the following Members as seeking recognition on this section: Messrs. MUNDT, LODGE, DONDERO, BATES of Massachusetts, RANKIN, NORTON, CRAWFORD, LEMKE, EBERHARTER, ANGELL, CLASON, SABATH, and HARTLEY.

Each of these Members will be recognized for 2½ minutes.

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. Chairman, I have a substitute amendment pending at the desk. I ask unanimous consent that it be read for the information of the House.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

The Clerk read as follows:

> Amendment offered by Mr. MUNDT:
>
> On page 33, line 15, after the words "is a member", insert "or has within the 5 years immediately preceding the date when his case is brought up for considering."
>
> Page 33, line 20, after the words "or is", insert "has within the 5 years immediately preceding the date when his case is brought up for consideration."

Mr. MUNDT. Mr. Chairman, I think my amendment is entirely in line with the objectives of the amendment offered by the gentleman from Missouri [Mr. BELL], as well as that by the gentleman from North Carolina. I believe, however, the chairman of the Labor Committee gave us an excellent thought when he said that we should not pass legislation which permanently bars from holding these offices men who had once been Communists but had conscientiously reformed after having discovered how they had been deluded by the snares of communism. We have many cases in the records before our committee. In addition to the case of Louis Budenz, in which men who were once Communists have discovered the foreign domination exerted over the American Communist Party and who upon making this discovery have dedicated themselves to exposing and curtailing the subversive program of communism.

There are a number of cases that have come to the attention of the House Committee on Un-American Activities year after year of young men who had once been deceived by communism, who had worked with the Communists only to find to their chagrin that they were being directed by a foreign government. These young Americans then quit the Communist Party and they have been highly helpful in correcting the evils which they had unwittingly and unconsciously helped to cause.

It certainly seems to me that if a man for the 5 years immediately preceding the time his case is considered has been out of the party, working against the party, has not supported the party, or been connected with it, then there is no reason to bar him from membership in a union and holding office therein. We have on our desk at the present time, in the Committee on Un-American Activities, some correspondence from a group of members of the United Electrical Organization who were formerly Communists. These union men wrote the House Committee on Un-American Activities

that they had learned that the Communist Party is under the control of Soviet Russia and they want to come before us and testify under oath to the activities of that group. Certainly we do not want to disbar patriots like that from holding offices in labor organizations for life once they have seen the light and once they have demonstrated for 5 years or more that they are now well-informed, patriotic, and genuinely American laboring men.

Even as of today we still have in American colleges and universities young men and women who have been tricked into joining the Communist Party through affiliating with an organization which they did not clearly understand—American Youth for Democracy. Surely we should not bar for life any opportunity to hold office in a labor union on the part of these young Americans who renounce membership in American Youth for Democracy and who join the millions of other citizens who are beginning to understand communism to be the foreign fifth column which it is and who are now associating themselves with patriotic Americans working to stop communism at home and abroad.

For that reason I have offered this amendment to bar from holding offices in labor unions anyone connected with the Communist Party at any time within 5 years preceding the day the case is brought up for consideration. To attempt to punish a man for his entire lifetime for a mistake which he has publicly admitted and corrected, however, seems to be unnecessarily drastic and punitive, and I believe it would be less effective than setting up some such effective date as I propose.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Pennsylvania.

Mr. McCONNELL. I agree with what the gentleman has stated and I think he has made a very good argument but I am wondering why the gentleman selected a 5-year period?

Mr. MUNDT. There is nothing sacred about 5 years. I could have stated 6, 8, 12 or 3. However, I think 5 years is a reasonable length of time in the life of an adult man for him to demonstrate that during that period he has had no sympathy or connection with communism. If he has once been deceived by communism and has seen the light and reformed and publicly renounced communism, I think he should not be subjected to a lifetime penalty.

Our experience on the House Committee on Un-American Activities reveals that frequently former Communists become very able and effective workers in the battle to expose and circumvent the plots of the Communists. I do not think we should shut the door in the face of penitents of this type. Let us by all means take steps to drive communism out of the labor unions but let us take effective and rational steps. Let us proceed with reason and let us adopt realistic reforms. It is not the vigor with which we cry out against communism but rather the value of the legislative and public-serving action that we take which will achieve the objectives which we have in mind.

Mr. Chairman, we are about to adopt some basic labor legislation to protect the public against excessive and unnecessary strikes and to safeguard the legitimate interests of both employer and employee. I shall support this legislation with or without the amendment I have proposed since the correction of management-labor relationships is long overdue in this country. It is hoped and expected that by the time this legislation has cleared both Houses of Congress it will provide a pattern of industrial relations which will help stimulate production and help safeguard American traditions of opportunity both for the individual laboring man and for employers of labor. We should perfect it as carefully as we can but we should proceed in this Congress to the correction of abuses which can no longer be ignored.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

The Chair recognizes the gentlewoman from New Jersey [Mrs. NORTON].

Mrs. NORTON. Mr. Chairman, I take this time to read two telegrams to the House. My telegram to William Green, asking authenticity of a letter that was read by the chairman of the Labor Committee on Tuesday, is as follows:

APRIL 15, 1947.

Hon. WILLIAM GREEN,
President, American
Federation of Labor,
Washington, D. C.:

The chairman of the Labor Committee, Mr. HARTLEY, read a letter on the floor of the House today from you, dated 1940, commending him for his fine labor record. In view of the fact that Mr. HARTLEY is recorded as having attended only six meetings of the Labor Committee in my 10 years as chairman, is this letter authentic, and would you send him such a letter today? I intend to use this telegram and your answer.

MARY T. NORTON,
Member of Congress.

The answer from Mr. Green came to me on yesterday, is addressed to me, and reads as follows:

WASHINGTON, D. C.

Hon. MARY T. NORTON,
House Office Building:

Record made by Congressman HARTLEY in 1940 was much different than record now being made by Congressman HARTLEY in 1947. American Federation of Labor supported Congressman HARTLEY of 1940, but is uncompromisingly opposed to Congressman HARTLEY of 1947. Because of his votes highly favorable to labor in 1940 American Federation of Labor endorsed his candidacy for reelection to Congress. This is in line with our nonpartisan political policy of supporting friends and opposing enemies regardless of political affiliation. Sponsorship of H. R. 3020, one of worst labor measures ever introduced into Congress of United States, now means Congressman HARTLEY will be classified as one of labor's chief enemies.

WM. GREEN,
President, American
Federation of Labor.

Further comment is unnecessary.

The CHAIRMAN. The time of the gentlewoman from New Jersey has expired.

The Chair recognizes the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, I am in favor of the Bell amendment without any alternative whatsoever. In view of those things which have been occurring in conference, I think if the House is sincere about this amendment we should have a teller vote as to whether it is adopted or rejected and then let the record stand for the benefit of the conferees.

This country is now being asked to finance in almost every way conceivable opposition to the Russian philosophy and the Russian program generally. The good taxpayers and the bond buyers in my district will be asked to contribute according to their usual capacity.

I have no sympathy whatsoever with anyone who has in this day of enlightenment affiliated themselves with the Russian communistic movement when the life of this Nation is at stake. That is the reason why I am in favor of this emphatic language offered by the gentleman from Missouri [Mr. BELL].

Our young university men and women who are being supported by the taxpayers in receiving their education, and who are now joining communistic movements, whether it be AYD or otherwise, have plenty of light in which to walk, and if they want to deny themselves permanently, that is, as permanent as legislation is, and that is not very permanent, from being leaders in labor organizations, well then, let them join or keep out of that kind of an organization according to their desires. We are going to find out that we shall have to come down to the philosophy which has so recently been enunciated by Mr. Baruch, who has the confidence of Democrats and Republicans, that our men and women will have to work longer and harder for some time to come in order to catch up with the ravages of war if we are to regain our heritage, if we are again to be missioners of hope and be rewarded for our efforts. He takes the position that too many people have the delusion that the world can be set right by borrowing money, and I am against labor leadership which teaches our people to soldier on the job, against labor leadership which receives its instructions from Moscow and which, at the crucial moment, can stop production in the United States, throw this country on its stomach, defeat every program that we have in the United States and the rest of the world, and I think we can follow some of the recommendations of Mr. Baruch along this general line:

It may taste bad at first to plenty of people, but here is Dr. Baruch's prescription:

FIVE AND ONE-HALF DAYS, FORTY-FOUR HOURS

"If we adopted, wholeheartedly, a 5½-day, 44-hour week, with no strikes or lay-offs, to January 1, 1949, the result would be electrifying."

That result would be that we'd produce a great deal of real wealth, which in turn would restore much of the buying power knocked out of our symbolic wealth—our money—by the scarcities and shortages which the war dealt us.

If we persist in leaning more on money than our production, Mr. Baruch predicts a vast inflation to follow the relatively mild one we now have, and a perilous shrinkage

of our present power, because "make no mistake: Our military lines are no stronger than the industry behind them."

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Chairman, the greatest single factor which has contributed to labor unrest today is the tremendous growth of monopolies.

A bill which addresses itself to industrial peace is meaningless unless it recognizes this fact.

Sponsors of this strikebreaking measure, H. R. 3020, repeatedly insist that it is important to put the risk back into striking; that it is important to make it difficult to strike; that it is important to make it difficult to obtain wage increases through employee self-help. Let us recognize what our real problem is.

The real problem is to put the risk back into saying "No" to legitimate demands of employees. Modern industry is so large, industrial combines have grown so powerful and arrogant, that they can readily afford to say "No" to the workers' pleas for decent living standards.

Instead of embarking upon a sinister campaign for promoting competition in wage cutting, we should direct ourselves to the crying evil of our times: The evil of monopoly. If free enterprise itself is to survive, we must promote true competition and break down the enormous industrial aggregations which threaten to destroy our entire economic life.

In the year 1909, 200 of our largest nonfinancial corporations owned one-third of our national assets. In 1929, these corporations owned 48 percent of our national assets, and today they own almost 60 percent of our national assets.

In 1880 the four largest producers in the iron and steel industry owned 25 percent of the country's rolling-mill capacity. In 1938 the four largest producers owned over 64 percent of our country's rolling-mill capacity.

Today in this country the 250 largest corporations control two-thirds of the usable manufacturing facilities of our entire economy. More than 100 of our largest corporations are controlled by a tight net of 8 groups of banking interests.

Consider the alarming implications of the fact that during the war over one-half million small businesses were forced out of economic life.

Consider what it means when as of about 5 years ago eight one-thousandths of 1 percent of the population owned one-fourth of all the corporate stock in the country and approximately six one-hundredths of 1 percent of the population owned one-half of all the corporate stock in the country.

It is these tremendous monopoly concentrations which force upon our people work stoppages and hardship because of their arrogance and power.

Consider the spectacle of the colossal A. T. & T. Co., the world's largest trust, a $7,000,000,000 corporation, pitting its enormous wealth against the puny bargaining power of its workers. Consider the reckless irresponsibility of this corporation which places its greed for profits above the welfare of the people.

H. R. 3020 strengthens the trusts in their war upon the living standards of the people. It arms them with the weapon of the injunction, the damage suits to drain union treasuries, the criminal prosecution to hound union leaders, and the blacklist to deny union members an opportunity to make a living. We cannot create industrial peace within a healthy economy by fostering trusts and crippling labor.

Wendell Berge, Assistant Attorney General of the United States, in charge of antitrust prosecutions—a man who knows about monopoly problems—recently said:

> The twin demands, "hands off business" and "curb labor," have long been the heart of the antidemocratic program of those who favor the corporate state. To say that labor unions shall be restrained while the march of monopoly is allowed to continue will result in the abandonment of industrial democracy. If industrial democracy is permitted to perish our proud heritage of political freedom cannot survive.

In order to root out a basic cause of industrial strife and of depression, I submit it would be well for the House to consider a bill providing for the elimination of monopolies and monopolistic practices and the protection of the public interest through public control over monopolies and monopolistic practices.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. CLASON].

Mr. CLASON. Mr. Chairman, the purpose of my asking for time is to secure from the committee, through its chairman, a statement as to whether or not nonprofit hospitals are covered within the term "employer" as stated on pages 3 and 4 of the bill. The reason I do this is that I am informed that under a decision of the Supreme Court it is presently held that nonprofit hospitals do not come under the jurisdiction of the National Labor Relations Board. In every community, in cites and towns all over the country, we have nonprofit hospitals which are not religious hospitals, and which do charge fees and do get paid moneys. I should like to know whether or not this committee considers that such nonprofit hospitals receive the benefit of the exclusion from the terms of this bill and the word "employer" which presumably already exists.

Mr. HARTLEY. If the gentleman will yield, the institutions to which the gentleman refers are exempt under the terms of the bill.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Chairman, I wish every Member of the House would turn to page A1715 of the Appendix to the CONGRESSIONAL RECORD and read the report of the Committee on Un-American Activities on the so-called American Youth for Democracy, referred to a while ago by the gentleman from New York [Mr. POTTS].

In reply to what the gentleman from New York said, many of these young men do not realize that they are joining a Communist-front organization; therefore, they have not become members of the Communist Party. They have time to get out of it before they are roped in and sworn into the Communist Party, which is dedicated to the overthrow of this Government.

But with or without limitation as to years, an amendment such as that offered by the gentleman from Missouri [Mr. BELL] ought to be adopted.

I want to read to the House one more time the words of William Z. Foster, head of the Communist Party, who like Henry Wallace is making speeches in Europe against the United States of America. This is what he said, and he was under oath when he admitted he made this statement.

He said:

> No Communist, no matter how many votes he should secure in a national election, could, even if he would, become President of the present Government. When a Communist heads a Government of the United States (and that day will come just as surely as the sun rises), that Government will not be a capitalistic government but a Soviet government, and behind this government will stand the Red army to enforce the dictatorship of the proletariat.

That is a statement of the head of the Communist Party in America. He has told you time and time again that they have only one flag, and that is the red flag of Russia.

This amendment is for the benefit of the honest, conscientious American laboring men against these Communists, and it ought to be adopted.

Mr. KERSTEN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Wisconsin.

Mr. KERSTEN of Wisconsin. Does the gentleman know how Mr. Foster got his passport?

Mr. RANKIN. No. I wish I did. I cannot understand why the State Department would issue a passport to such an individual.

Mr. KERSTEN of Wisconsin. I should like to know.

Mr. RANKIN. But I know one thing. If I had my way, both Foster's passport and Henry Wallace's passport would be revoked today.

I have been informed that Foster does not expect to return to the United States.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Michigan.

Mr. CRAWFORD. In the State of Michigan we have drawn this issue with the State university and the Michigan State College so that no intelligent person in those two institutions has any excuse for not knowing what the AYD is.

Mr. RANKIN. That should be done in every State in the Union.

These Communists are taking advantage of our educational institutions to poison the minds of the youth of the land.

While we are challenging the spread of communism abroad, we should drive this vicious influence from American soil by forcing every Communist off the Federal pay roll, out of our educational institutions off the radio, out of labor unions, and from every other position of trust or confidence which they can use to spread their poisonous propaganda.

I hope the Bell amendment is adopted.

The CHAIRMAN. The Chair recognizes the gentleman from North Dakota [Mr. LEMKE].

(Mr. LEMKE asked and was given permission to revise and extend his remarks.)

Mr. LEMKE. Mr. Chairman, I am opposed to this bill in spite of the fact that it is camouflaged with the Bill of Rights. I feel that this bill is contrary to our form of government—that it will promote un-American activities. I say this because it will give the subversive element an opportunity to further infiltrate into some labor organizations.

There is need for labor legislation, but this bill goes too far. It repeals much of the progress that organized labor has made. It brings us back to the gun-and-club—strikebreaker—age. It is this kind of legislation that makes a Wallace and his pink and commy comrades possible.

Man is inclined to follow false gods. So is Congress. We live in a world of confusion—in a world that is made with hatred and vengeance. We live in an atmosphere that is surcharged with false propaganda. I am afraid that it was in this atmosphere that the bill under consideration was written.

In preparing this bill I fear that the committee was influenced by the false propaganda heard over the air, by the evidence of a few disgruntled labor skates, and a few international racketeers and industrialists, who again made millions upon millions out of a war-mad world.

I feel that the committee should have brought in a simple bill outlawing jurisdictional and wildcat strikes, and preventing violence. Cases such as these took place in recent years in New York and Wisconsin, where the State officials failed to do their duty and preserve law and order.

Then, it should have provided for and set forth the conditions under which municipal and public service plants and industries, that directly affect the welfare of the people, would be continued in operation during a strike. Such a bill would have met with little or no opposition on the part of labor.

This bill, no more than the Smith-Connally Act, will end strikes, but it will create bitterness and hatred. We should remember that many of the veterans belong to organized labor. Of all times, this is the time to strive for unity and not disunity.

If there ever was a time for calm and sober thinking, it is now. I know that both my Democratic and Republican friends have denounced Wallace for his unseeming conduct abroad. I know that both my Democratic and Republican friends would like to have him stay where he is. However, if we pass this antilabor legislation, then he will be back to plague both parties. We will have played into his hands.

Then, we will have played the game that he and his followers—the pinks, the reds and the off-colors—wish us to play. We will have slapped organized labor in the face. Let us remember that organized labor, with its friends, constitute 48 percent of our population. That under our form of government, they have 48 percent say about the Government under which we and they live.

I know that the Nation has a headache. There are strikes and more strikes. I know that some of these strikes are justifiable—others are not. I have a suspicion that some of these strikes are agitated and caused by persons who are not interested in the American form of government. These wish to bring about chaos and confusion, and then destroy us. They prefer a dictatorship. They spurn democracy. They are not all employees—among them are employers.

I know, and you know, that there are many cases where the workers are receiving less than a living annual wage. It is easy to compare the wage they got before the war, and that they are now receiving. Such a comparison is not only unfair, but dishonest.

We hear the enemies of labor shout from the housetops, "Look at the high wages they are receiving." But these do not tell you that the dollar is worth only 40 cents in purchasing power. They do not tell you that, in many cases, the present wages paid are not more than sufficient to pay the rent on a decent place to live in, let alone fuel, clothing, and food.

They tell us that the plumber is getting $2.50 an hour, but they do not tell us that that $2.50 buys only as much as $1 would have bought in 1937. They do not tell you that many of the so-called white-collar workers are in actual want because of the depreciated salaries and wages. To these it is all right for themselves to take all that the traffic will bear. They want cost plus for industries, and cost minus for the farmer and the laborer.

I know that we have those who would go back to the Dark Ages—who prefer working slaves to working freemen. These forget that it was free labor that produced not only food, clothing, and implements of war for our own Army and Navy but for the armies and navies of half of the world. In no nation did the individual worker produce anything near that of the American farmer and laborer.

I still hope that either on this floor or in the Senate we may get a fair and just bill. I have consulted with some labor leaders of different organizations. I find that, almost without a single exception, they agree that some legislation is necessary. They agree that jurisdictional and wildcat strikes should be prohibited. They agree that they should be held responsible and be given authority to prohibit such strikes.

They agree that violence in strikes must be stopped. They are willing to assume responsibility, if given authority, to stop violence in all cases where the governor of a State or a mayor of a city fails to do his duty and uphold law and order. If they had been given that responsibility and power then the outrages perpetrated at the Allis-Chalmers plant would not have taken place, nor would the farmers have been prevented from bringing food into the city of New York a few years ago.

These leaders know that the public will no longer tolerate the disastrous effects of a strike that affects a large part or the Nation as a whole. They are willing that a law be passed that would set forth the terms and conditions under which an industry that does affect the welfare of the Nation would be continued in operation during a strike.

I feel that we cannot justify our support of this bill and square it with our conscience except on the grounds of expediency. You may ease your political conscience temporarily, but the ghost will return and haunt you.

You will not be permitted to crucify labor upon the altar of false propaganda and slander—upon the blunders and mistakes of the industrialists. Labor has furnished its full quota of fighting men and its full quota in the field of production. It performed a miracle. It supplied half the world with arms and munitions and war implements.

Oh, I have heard the remark that the wise thing to do is to vote for this bill because the Senate will improve it. My answer is that we have no right to hide behind the skirts of the Senate. This House has done that on several occasions. The responsibility is ours. It is here now. I hope that the bill will be recommitted to the committee and that it will bring in a simple bill that will be just to both labor and industry—that will do justice and protect the public.

I fear that, in a moment of emotion and excitement, we are about to pass a bill that will have far-reaching consequences. Would it not be wise if this House took a 30-day cooling-off period—a 30-day cooling-off period from emotion and false propaganda—propaganda that would have us go back to the Dark Ages in labor legislation?

Congress cannot pass a law to make a person work if he does not wish to—especially not if he has a grievance. Such an attempt is contrary to our experience and contrary to human nature. It never can be enforced except by a dictator and then only with a gun and club.

Henry Ford 2d, on January 9, 1946, in Detroit, discussing strikes before the Society of Automotive Engineers, said:

> As we look at these problems in human relations we feel that the solution must be found through a closer understanding between management and labor. If we cannot succeed by cooperation, it doesn't seem likely that we can succeed by an exercise of force.
>
> We cannot, for example, expect legislation to solve our problems. Laws which seek to force large groups of Americans to do what they believe is unfair and against their best interests are not likely to succeed. In fact, such legislation can lead to exaggeration of the very problem it is designed to solve. And when freemen give up the task of trying to get along with each other, and pass the buck to government, they surrender a substantial measure of their freedom.

In conclusion let us remember that we always enslave ourselves by enslaving others first. There are too many who ask for the protection of the Constitution when it comes to their rights but forget it when it comes to the rights of others.

May I beg you to once more observe the Constitution. There has been a growing tendency, not only on the part of the Executive, but, on the part of Congress and the Judiciary, to attempt

to hide behind the Constitution when it serves their purpose and to throw it out of the window when it does not. We have done fairly well for over 150 years under that instrument.

Let us not now in a moment of emotional hysteria, unconstitutionally crucify labor and in the end lose our own liberty. It may take a little more courage to vote your honest conviction on this bill, but in the end right will triumph. The Nation is and will recover its calmer and saner judgment.

The overwhelming majority of organized labor is just as much interested in the success of our Government as we are. Whenever the time comes when love for our country and patriotism fall so low that this kind of drastic legislation is necessary, then the Republic that you and I have cherished and love, the Republic that the world has looked to as a model of justice, will be dead. Then we will have surrendered all that is sacred and good in our form of constitutional government.

The CHAIRMAN. The Chair recognizes the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Chairman, I regret that I am unable to vote for H. R. 3020 in its present form. I am certain that the great majority of the American people and their representatives in the Congress are anxious to enact a long-range labor-management program which will restore peaceful industrial relations between labor and management, and protect the rights of both labor and management and at the same time preserve the rights of the public and protect against the hardships and suffering resulting from Nation-wide strikes in key industries endangering the health, safety, and welfare of the Nation.

This bill has many provisions in it that are praiseworthy and should be enacted into law. On the other hand it has a number of provisions which would, in my judgment, foster industrial disputes rather than avoid or settle them. It is an omnibus bill and covers a multitude of labor-management issues which are highly controversial, some of which should stand on their own feet and not be sandwiched in with other less controversial issues which could receive the approval of the Congress and the President. Our country has built up an industrial system which is the admiration of the world in its effectiveness. By reason of it we were able to supply not only the armed forces of our country during the late war but to be the arsenal and warehouse for our Allies as well. Without an efficient industrial program and cooperation between labor and capital this could not have been done.

We cannot, however, close our eyes to the fact that there are defects in the system which should be cured and that means should be provided for curbing Nation-wide industrial disputes endangering the health, welfare, and safety of the Nation. Likewise jurisdictional and sympathetic strikes should be banned, labor racketeers eliminated, and violence and other similar practices should be outlawed. In doing so, however, we should not deprive labor of its rights, long recognized by our courts, to organize and bargain collectively and maintain adequate and effective unions for the preservation of their rights. A concentration of capital and power in a few hands in our great industrial empires have made it impossible for labor to secure adequate protection except through organization and collective bargaining. And there are many provisions in this omnibus bill which would seriously curtail if not destroy these well-earned rights of labor and they should be eliminated from the bill.

There is no hope that this bill will be enacted into law as it was reported by the House committee. Furthermore there is strong probability that if passed by both House and the Senate it would receive the disapproval of the President. I believe we should be forthright and approach the problem from a realistic standpoint and not attempt to penalize or chastise labor by enacting a bill containing provisions so drastic that there is no possibility of it becoming a law. If we want to make headway and enact labor legislation that will help minimize industrial disputes and restore peaceful relations between labor and management we should eliminate these drastic provisions from this bill so that we may at least have some legislation from the Eightieth Congress that will help solve our industrial problems. I hope when it comes back from the Senate it will be amended so I may support it.

I call attention to the following editorial appearing in the Washington Post of April 16 which points out the error of attempting to include in one omnibus bill so many highly controversial issues which from the practical standpoint insure the defeat of the legislation:

[From the Washington Post of April 16, 1947]

OVERDOING IT

Chairman ALLEN, of the Rules Committee, indulged in no exaggeration when he said in the opening debate on the House labor bill that "this undoubtedly is one of the most far reaching and * * * important bills that any Member of this Congress will be asked to vote on." The bill outlines a new national policy governing the relations between management and labor and the relations of both to government. To say that it is sweeping in its terms is an understatement. We can get nearer to the truth by saying that it is a vast and complex network of ideas—many of them undigested ideas—dumped into an omnibus bill without much regard for what the net effect upon our economy may be.

We think the bill contains numerous constructive provisions. For example, it would recognize unfair labor practices on the part of unions as well as employers. It is an attempt to democratize unionism, to correct such evils as mass picketing, jurisdictional strikes, and strikes that imperil the national welfare. The trouble is that in many instances it invokes crude and repressive remedies. It is not a carefully devised effort to redress the balance between industry and labor; on the contrary, it is a sharp swing of the pendulum in the direction of unreasonable restraints on organized labor. It is not surprising that the long delay in correcting the defects of the old system should produce this sort of a reaction. But this explanation of why the bill has taken the shape it has still does not make it intelligent legislation.

No doubt the bill will be vehemently assailed because it would abolish the NLRB and set up in its place a Labor-Management Relations Board. But this may prove to be one of its happier aspects. The main idea behind the proposed change is to separate the prosecuting and judging functions of the NLRB. The task of investigating alleged unfair labor practices, of preparing complaints, and carrying on all the executive work under the act would be assigned to an Administrator. The Board would become a truly quasi-judicial body for the hearing and deciding of cases taken before it. With unions and their officials certain to be hailed before the Board on charges of unfair practices, this effort to secure greater objectivity in its decisions might reasonably be welcomed by labor.

But the House Committee on Education and Labor was not content to give the Board a more judicious character or even to rewrite the Wagner Act. It has provided for a system of judicial review that might tie up most of the vital business of the Board in the courts for rehearing. The bill also sweeps on to take many labor problems out of the hands of the Board and Administrator and lodge them in the courts by restoring use of the injunction to cope with certain forms of picketing, illegal boycotts, jurisdictional strikes and so forth.

Especially unsound, in our opinion, is the provision which would authorize the President to secure an injunction to halt any strike which he believed to threaten curtailment of essential public services. We have often emphasized the necessity of providing some means of dealing with union tyrants, such as John L. Lewis, who are willing to paralyze our entire economy for the sake of gaining their ends. But in all conscience, free use of the injunction in public utility walk-outs is not the answer. Let the Government take over an industry essential to the public health, safety, and welfare, if necessary, while a dispute is being settled. But certainly the Government should not intervene by means of an injunction and then rely upon the crude machinery that would be created by the House bill to bring about a fair settlement.

Nor is this all. The bill would abolish the closed shop (although authorizing some forms of the union shop), outlaw industry-wide collective bargaining, create a new conciliation service outside of the Labor Department and set up a rather crude system for balloting among employees before strikes could be called. It is too much of an undigested lump. We doubt that many members of the committee are familiar with its details. Certainly the rank and file of House Members are not. And the great American public is almost completely ignorant of what Congress is trying to do.

This is not the way to secure sound legislation. It is not even good politics. At the very least, it seems to us, the bill should be broken down into three sections—one modifying the Wagner Act and the other two dealing with the Conciliation Service and emergency handling of utility strikes affecting the national interest. Only by this means do we see any chance of the country understanding what its legislative arm is doing. If the steamroller which seems to be going into action in the House disregards this widespread demand, the chief burden of legislating in this field will fall upon the Senate, where evidence of a more responsible attitude is apparent. Failure of the Senate to heed current warning signals would doubtless result in a veto, and the whole mess would be in the lap of Congress once more. The time to avert such a calamity is now while it is still possible to strip this legislation to reasonable proportions.

The CHAIRMAN. The Chair now recognizes the gentleman from Illinois [Mr. SABATH].

IF MEMBERS HAD TIME FOR REAL STUDY THEY WOULD NOT APPROVE THIS MOST INFAMOUS BILL

Mr. SABATH. Mr. Chairman, I fully appreciate the fact that the vast majority of Members are so preoccupied with legitimate requests from their home districts, coming from manufacturers, businessmen, and others, requiring many conferences in the executive agencies, and frequent visits to those offices, that they seldom have any opportunity of really studying national problems.

Had they any time to devote to reading, to face-to-face conversations with the workers and the housewives and the little people who cannot send telegrams or make visits to Washington, I am sure they would never be constrained by the pressures from the national Republican organization to put their stamp of approval on this most infamous bill.

HOW HAS PRIVATE ENTERPRISE BEEN RESTRAINED?

Much has been said about free enterprise in the propaganda which has whipped up sentiment for this omnibus punitive measure. Industrial leaders have said that free enterprise has been interfered with. How, Mr. Chairman, how? In what way has private enterprise—I cannot bring myself to speak of free enterprise when the facts show that big business has made free enterprise only a memory—in what way has private enterprise been prevented in any way from achieving the greatest profits, the greatest surpluses, the greatest reserves, in all history?

Mr. Chairman, I really do believe in free enterprise. My whole life has been devoted to freedom—freedom of the individual, freedom of business, freedom of conscience.

THERE IS NO PLACE IN AMERICA FOR ISMS

Mr. Chairman, I am as much opposed to communism as any gentleman who has preceded me. Before most of you were born I fought communism and socialism. Therefore, nothing that I say here can be misconstrued as a defense of communism. I have said, and I repeat, that there is no place in the United States for communism. I always have been and I always shall be heart and soul for our democratic form of Government, and surely there is no room for any isms when we have democracy.

However, I have asked for recognition because I have been amazed to hear the statements of my good friend the gentleman from Missouri [Mr. BELL] and others who have spoken of his amendment, who have generally been opposed to organized labor, urging that this amendment is in the interest of the unions.

I repeat, it is, indeed, amazing, in view of their long antagonism, that they should now be so solicitous of the laboring man.

LABOR DID NOT BRING ABOUT FALL OF FRANCE

Mr. Chairman, I fear that the gentleman has left an unfortunate and erroneous impression by his remarks. I understood him to say that France fell to Nazi aggression because of lack of support of the national government by labor.

I believe that full study of the history of that unhappy country prior to its conquest by the Hitler hordes would show conclusively and indubitably that France fell because of the damnable conspiracy of the traitors, the quislings, the Nazi sympathizers among the French industrialists and politicians, and the cartelists, who had no fear of Hitler but sought the defeat of Russia. The workers of France, not the fanatic friends of Germany and the Nazi ideology, gave the only strength there was to the resistance.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. SABATH. I yield.

Mr. BELL. Does the gentleman deny that for more than a year prior to the invasion of France by the Nazis, industry in France had been practically at a standstill? Does the gentleman deny that?

Mr. SABATH. I do not know anything about that.

Mr. BELL. I thought that was the situation—that the gentleman did not know.

Mr. SABATH. Mr. Chairman, many of the military and political and business leaders of prewar France have been convicted already of collaboration and many others are in prison awaiting trial, but I have yet to hear of any labor leader or any laborer tried for treason to his country in that land. The betrayers of France were the powerful of France. It was they who were responsible for the crushing of the French Army, of the break-through of the Maginot Line—not from the front but from the rear—and of the complete collapse of French resistance when the big push came. The evidence shows that disloyal French generals had furnished the Nazis with information as to the weakest points in the Maginot Line, with maps, with full communications and defense plans, and finally with contradictory and confusing orders. The fall of France was inevitable; and the betrayal came from the highest places.

CANNOT SUPPORT AMENDMENT

I cannot, Mr. Chairman, support the amendment proposed by the gentleman from Missouri [Mr. BELL]; and I find myself in full accord with the opposition expressed by the gentleman from South Dakota [Mr. MUNDT], who is a member of the Committee on Un-American Activities. I believe the chairman of the committee also is opposed to the amendment, because he believes in his heart that the provisions already in the bill are so drastic and far-reaching that the adoption of this amendment would imperil the passage of the bill. Of course, I do not mean that I would hope for defeat in the House; but the Members of the other body will have a much greater opportunity for study of this bill designed to destroy organized labor, and any further destructive provisions might bring about that eventuality.

Naturally, Mr. Chairman, I endorse and adopt the strong condemnation of the bill expressed by the gentleman from Pennsylvania [Mr. EBERHARTER] and the gentleman from North Dakota [Mr. LEMKE], who have pointed out its unfairness and the adverse effect it is bound to have on the Nation.

Mr. Chairman, in conclusion let me point out that in spite of the tremendous increase in the cost of living, we are in a period of unprecedented industrial peace. In January of this year, the latest figures available, time lost from labor-management controversies reached a postwar low, and was less than for any month since March 1945.

Why not leave well enough alone and encourage real free enterprise?

The CHAIRMAN. The time of the gentleman from Illinois [Mr. SABATH] has expired.

The gentleman from Michigan [Mr. DONDERO] is recognized for 2½ minutes.

Mr. DONDERO. Mr. Chairman, I rise in favor of the amendment offered by the gentleman from Missouri [Mr. BELL].

This body does not contain a Member who is a more stanch American than the gentleman from Missouri [Mr. BELL]. I will not be charged with being reticent in exposing Communists on this floor. You have indulged me for the last 10 years on that subject. I am forced to admit, however, that we have former Communists who are now rendering yeoman service to the Government of the United States, outside of Government office. Here in Washington we have men who were former Communists who are now rendering splendid service to the protection of the United States Government.

I would like to point out that one of the instruments by which Communists seek to destroy this country is class warfare. The record of strikes in this country in 1946 is not progress. The record is nearly 5,000 of such strikes, causing a loss of 116,000,000 man-days of labor. That is not progress. That is class warfare. I am not ready to believe, and I do not believe that the rank and file of American labor caused all these strikes. Neither do I believe that all union leadership is the cause of such strikes. But I do believe that the subversive elements which we are attempting to cover by this amendment are the cause and behind a great deal of our labor unrest and stoppage of production. For that reason, we should adopt this amendment, even though it may strike in some places where we do not intend to have it strike. No greater menace faces the security and welfare of this country than the menace of communism in our midst.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. RANKIN. The gentleman is aware of the fact that no man can resign from the Communist Party. The only way he can get out is to be expelled. They consider him a member until they expel him.

Mr. DONDERO. Yes; and if he was in some other country he would not be expelled. He would be liquidated.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HARTLEY. Mr. Chairman, I reserve the remainder of my time.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from South Dakota [Mr.

MUNDT] to the amendment offered by the gentleman from Missouri [Mr. BELL].

The question was taken; and on a division (demanded by Mr. MUNDT) there were—ayes 40, noes 119.

So the substitute amendment was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Missouri [Mr. BELL].

The question was taken; and on a division (demanded by Mr. BELL) there were—ayes 153, noes 10.

So the amendment was agreed to.

Mr. LODGE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LODGE: Insert on page 10, line 10, after the period "6. Pension plans, group-insurance benefits, hospitalization benefits."

Mr. LODGE. Mr. Chairman, the purpose of this amendment is to minimize the interferences with collective bargaining which are implicit under the section to which this amendment applies. I regard such interferences with collective bargaining by the Government as unwarranted. These matters should be left for negotiation between labor and management.

The argument has been advanced that the innocent must suffer for the guilty. I do not subscribe to that argument. In order to punish John L. Lewis, I consider it neither necessary nor right to punish large groups of people who are in no way involved in the battle between John L. Lewis and the Government.

The argument is also advanced that welfare matters of this kind constitute in effect a tax upon the American customer. Along that line of reasoning, it might just as easily be contended that a wage rise is a tax on the American customer. Are we now going to indulge in price fixing by so limiting collective bargaining?

The omission of these matters from the right to collective bargaining will, in my opinion, result in demands by the unions for wage rises in order to compensate them for their losses in this connection. It will result also, I think, in demands for greater social security since they will be deprived of the security which would result from these benefits. This will, indeed, create additional taxes upon the American people.

Mr. MADDEN. Mr. Chairman, I am supporting the amendment offered by the gentleman from Massachusetts [Mr. LODGE].

Probably one of the most gratuitous pieces of legislative meddling in a bill which, I regret, is outstanding only in its contribution to industrial unrest, is that provision of H. R. 3020 which makes it an unfair labor practice for an employer to assist a union by making a payment to it or to contribute to a fund of any kind controlled to any degree by a labor organization. I refer to section 8 (a) (2) (C) (ii).

I have examined this particular clause with all of the analytical powers in my possession—and—unless one concludes that honest, voluntarily chosen union organizations are completely incapable of mature management of trust moneys—an idea which is completely absurd on its face—I can find no rational basis whatever for this proposal of the bill. If an employer contributes to a union fund for the benefit of employees, no fair-minded man could question that the employer should have a say in how the money is spent. But here the employer would be forbidden to make any contribution at all—no matter how noble the purpose or useful the money to the sick, the injured, the unemployed, or the destitute in any community—as long as the union also contributed to this fund and insisted rightfully upon a proportionate voice in its management.

One of the finest contributions of management and labor toward the health of the community on a completely cooperative and private basis are numerous health benefit programs providing medical care, hospitalization and preventive treatment to union members and their dependents. Funds for these programs are established by collective-bargaining agreements covering more than 600,000 workers in 15 international unions. And that is without considering the welfare fund in the mine industry set up and managed jointly by the Government and the union. One-third of these employees are shown by a study of the Bureau of Labor Statistics to have been receiving these benefits from funds jointly administered by the union and the employer. In somewhat less than a third, unions assume the responsibilities of management. And in the remainder the administration is vested in insurance companies. All of these funds receive joint contributions from the employer and the union. Therefore, plans benefiting approximately 400,000 employees—not to mention their dependents—would be banned by this measure.

The bill does not make any nice distinctions as to the kinds of contributions—or kinds of union assistance—which would be unlawful. Legitimate charges for customary services rendered—such as payments for the union label furnished by the union—are lumped together with every kind of welfare provision. Health benefits, pensions, retirement benefits, aid to dependents, life insurance—all of these legitimate purposes relieving the State from a heavy part of the public burdens which illness and insecurity would otherwise impose. And all of these purposes would be deprived of employer contribution because of some imaginary stigma attaching to even the most indirect union control.

I have studied the report of the Committee on Education and Labor to find its comments upon the provisions of this clause. I found only these:

First, there was made the observation that employers should pay these contributions into wages and should be forbidden to pay them into welfare funds in a conspiracy with unions to mulct employees. Does the committee actually expect the Members of this House to believe that employers and unions are engaged in a conspiracy to mulct employees when they set up a jointly administered trust fund for medical-care and hospitalization payments under the strict scrutiny of our trust laws? This is a monstrous and completely unfounded charge demonstrating the woeful irresponsibility among those who support this measure. There is not one instance in the record from which any member of that committee can point to the mismanagement or misuse of medical or insurance funds jointly established and jointly administered by labor and management. Yet contribution to such funds by the employer would be prohibited.

The second comment that I found in the majority report was that the Supreme Court has indicated that employer payments to welfare funds are inconsistent with those present provisions of section 8 of the Wagner Act, which set out the duty of employers to refrain from dominating unions. Now nothing could be further from the truth. Bargaining on this type of welfare-fund system is completely within the area of appropriate collective bargaining under the present provisions of the act—and I challenge any Member of this House to show me a holding of our high Court to the contrary.

There is one more point which I wish to stress. Not only would employer contributions to these welfare funds be outlawed, but let me state here and now that under section 12 any concerted activity interfering with operations and engaged in for the purpose of obtaining such a contribution would be met by the heavy penalties and triple damages of the antitrust laws—the severest penalties which this Congress has been able to devise.

On the other hand, does the employer have to bargain with a union even about legitimate contributions to welfare funds? Not at all Under section 2 (11), he can simply sit back in his chair and refuse to discuss the matter, regardless of its merits. In other words, he can compel the union to resort to a perfectly legal strike under this bill in order to obtain the most reasonable demands. The union would be powerless to resort the negotiation; mediators would be useless; arbitration out of the question.

Now, gentlemen, what position should we realistically take in this matter? It seems to me that it is in the sound interest of free enterprise—and of preventing dependence upon the State—for this Government to assist and encourage, rather than delimit and destroy, the formulation and development, through voluntary agreements, of plans that will aid citizens during times of misfortune and distress. The alternative—presented by this bill—is just one more step toward making the worker the ward of the State and toward increasing the demand for public support when the State refuses to private industry the power and right to help itself. This alternative is totalitarianism in its purest form.

This, gentlemen, is the bill which would save our country from the costly delays and damage to production that results from labor disputes! No reasonable man can subscribe to these measures. I fervently hope that the great

American people will hear of this fraud upon the public before these measures cast an inevitable blight upon the industrial future of our land.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. LODGE].

The question was taken; and on a division (demanded by Mr. LODGE) there were—ayes 62, noes 94.

So the amendment was rejected.

Mr. POTTS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POTTS. Mr. Chairman, I have been devoting all my time from early morning to late at night since the labor bill was submitted to the House to consideration of that bill. The President stated the need for labor legislation in his state of the Union message to Congress. I realize that probably no labor bill could be satisfactory in all its phases to everyone. There are phases of the present bill which I am not satisfied with.

The bill does not make provision for present welfare funds of unions nor to continuing them and I feel that it should.

The bill eliminates industry-wide bargaining and I feel that that should be continued until that phase of labor-management relations is canvassed more fully. The bill, of course, does provide for company-wide bargaining. That is, the Ford or General Electric or American Telephone and Telegraph unions could bargain on a company-wide scale even though the plants of these companies are scattered throughout the country.

The country has been torn with labor-management strife since the war's end. Arrogant labor leaders such as John L. Lewis have set themselves up as super-governments contrary to the welfare of the country. The Nation is sick and all must agree that medicine is necessary to correct the condition. As doctors sometime disagree as to the amount of medicine needed, so fair-minded people can disagree in the present case as to the amount of corrective legislation which is needed.

I have attempted to weigh the merits and demerits of the bill as I see them and I have come to the conclusion that the good by far outweighs the bad.

Some of the benefits to the workingman are:

First. A worker can now unite with fellow workers to select as their bargaining agent the union they want, not the union that is forced upon them.

Second. The right to vote by secret ballot in a fair and free union election.

Third. The right to continue working and receive his pay in spite of sympathy strikes, jurisdictional disputes, illegal boycotts, and other disputes that do not involve him and his union or his employer.

Fourth. The right to know what he is striking about before he is called out on strike, and to vote by secret ballot in a free and fair election on whether to strike or not after he has been told what his employer has offered him.

Fifth. The right to an accounting of union funds and their expenditure and to express his opinion on union affairs without fear of retaliation.

Sixth. The right to stay a member of a union, without being suspended or expelled, except after a hearing for, first, not paying dues; second, disclosing confidential information of the union; third, violating the union's contract; fourth, being a Communist or fellow traveler; fifth, being convicted of a felony, that is, of a serious crime; sixth, engaging in disreputable conduct that reflects on the union.

Seventh. The right to go to and from his work without being threatened or molested.

Consequently, I have decided to vote for the bill. I fully expect that some of the unfavorable features, as I see them, will be eliminated when the Senate bill is passed and the Senate and House bills go to a conference committee.

The CHAIRMAN. If there are no further amendments, the Clerk will read.

The Clerk read as follows:

ABOLITION OF NATIONAL LABOR RELATIONS BOARD; EFFECTIVE DATE OF CERTAIN CHANGES

SEC. 102. (a) For the purposes of this section, the term "new act" means the National Labor Relations Act as amended by this title, and the term "old act" means the National Labor Relations Act prior to such amendment.

(b) The National Labor Relations Board created under section 3 of the old act is abolished, effective 30 days after the date upon which a majority of the members of the Labor-Management Relations Board created under section 3 of the new act have qualified and taken office, or 90 days after the date of the enactment of this act, whichever date first occurs. Until the date upon which the abolition of the National Labor Relations Board becomes effective, the old act, except as provided in this section, shall remain in effect, except that this provision shall not prevent the Labor-Management Relations Board from organizing, employing personnel, prescribing regulations, and taking such other action as may be necessary to enable it to undertake and perform its duties under the new act from and after the date upon which the National Labor Relations Board is abolished.

(c) When the abolition of the National Labor Relations Board becomes effective, all of the records and property of such Board shall be transferred to and become the records and property of the Labor-Management Relations Board, proceedings before the National Labor Relations Board which (if initiated before the Labor-Management Relations Board under the new act) could have been maintained under the new act, and proceedings for the enforcement or review of orders of the National Labor Relations Board which (if issued by the Labor-Management Relations Board under the new act) the Labor-Management Relations Board would have had authority to issue, shall not abate by reason of such abolition, but shall, upon application of any party in interest be continued, the Administrator of the National Labor Relations Act being substituted as investigator, complainant, or petitioner, as the case may be.

(d) No provision of section 8 of the new act shall be deemed to make an unfair labor practice any act which was performed prior to the date of the enactment of this act and which did not constitute an unfair labor practice under the old act; and the provisions of section 8 (a) (3) of the new act shall not make an unfair labor practice the performance within 6 months after the date of the enactment of the new act of any obligation under a collective-bargaining contract entered into prior to the date of the enactment of this act if the performance of such obligation would not have constituted an unfair labor practice under section 8 (3) of the old act.

(e) No provision of section 8 (c) of the new act shall be deemed to make an unfair labor practice any act or practice which is required by the constitution and bylaws of the labor organization in question, until 1 year after the date of the enactment of this act.

(f) No provision of section 9 of the new act shall affect any certification of representatives or any determination as to the appropriate collective-bargaining unit, which was made under section 9 of the old act, until 1 year after the date of such certification, or, if a collective-bargaining contract (entered into prior to the date of the enactment of this act) is in effect, until the end of the original contract period or until 1 year after the date of the enactment of this act, whichever first occurs.

Mr. HARTLEY. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. TWYMAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. TWYMAN. Mr. Chairman, I have listened to 3 days of debate on H. R. 3020, the 1947 labor bill. Before the opening of the debate, I read and reread the bill and have attended several of the hearings of the committee. There is so much in this bill that is good, that it is a shame that the excellent features of the bill had to be combined with features that made the bill too objectionable. I have heard members rise and apologize for their vote for this bill and express the hope that the other body will put into the bill modifications which will make the bill acceptable to them. It is my feeling that the corrections should have been made by the committee itself and by the House. I have heard Members state that they wanted a hard, firm bill, in order to be in a better position in the Congress. I am voting against this bill and make no apologies to anyone for the position which I am taking. There will be those who will write me and express dismay because of my position. When they do this, I know full well that they have not read the 68 pages that make up this bill and will not be willing to read the RECORD and judge for themselves what action they would have taken, had they been present to listen to the debate. This is not only a bad bill for labor, but I am thoroughly convinced that it is a bad bill for business. Of course, business will not have the opportunity of seeing the actual results which would obtain were this bill actually to be put into operation in its present form. I say this because I know that the other body will modify considerably the provisions of the

bill that we are asked to vote upon. In any event, this bill will be vetoed by the President of the United States.

It would have been far better to have presented to the House of Representatives several bills embodying the good features contained in this bill such as the provisions for additional democracy within unions, the financial responsibility and rendering statements to union members and other features. Time does not permit me to go through each and every provision contained in this bill, but I am satisfied that those in management who believe this to be a proper measure, will not agree to every provision contained in this bill. We are called upon to vote upon the entire bill and are not permitted to vote for parts of it. That being the case, I am left no choice.

Stirring speeches have been made about injustices and racketeering, as well as the inroads made by communism into the labor organizations. Believe me, I should like to correct these situations and they could be corrected in a single bill and a bill which would pass the other body without question and which the President could not possibly veto. A great deal of emotionalism has been displayed on the floor today, but I am here to represent my district and the United States and not be swayed by emotionalism but by hard, cold facts. We shall have to account for our actions not as of today nor of next week, but as of a couple of years from now. I can well justify my opposition to this bill in spite of the fact that I know it will pass this body by an overwhelming vote. I prefer to take the position which I can justify, rather than one which I could never explain.

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last word, to revise and extend my remarks, and to include a brief analysis.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, 2 days ago we had distributed on the floor a mimeographed sheet entitled "Labor's New Bill of Rights Under the Hartley Bill H. R. 3020." Now a group of us felt that that analysis did not represent just exactly our attitude. Of course, it is a difference in attitude that makes horse races. So, some 30 of us have prepared an analysis which you will find at the Doorkeeper's desk, if you are interested in it, in which we set forth what we think the bill actually does.

I might, in the time left to me, enumerate some of the things that I think the bill does and some of the things the rest of us think it does, and we also define each one of the statements in the analysis with citations to particular sections to support our thoughts on that subject:

THE HARTLEY BILL—A NEW GUARANTY OF INDUSTRIAL SLAVERY

1. The employer is granted new rights and powers to destroy labor and to substitute individual bargaining for collective bargaining. (Secs. 1, 2, 7, 8 (b), 8 (c), 8 (d), 9 (a), 9 (c) (2), 9 (c) (3), 9 (f), 10, 203.)

2. The employer is given the right to bring antitrust actions against his employees, to institute criminal prosecutions against them, to sue them for treble damages and to obtain ex parte injunctions without a hearing against them. (Secs. 12 (a) (3) (C), 12 (c), 301.) But the employer's violation of the law is subject merely to a cease-and-desist order issued after administrative hearing and court review. (Sec. 10 (c).)

3. The employer is granted the right to compel employees to accept a wage cut through forced labor for indefinite periods of time. (Secs. 2 (11) (B), 2 (13), 8 (b) (3), 203, 204.)

4. The employer receives the right to break strikes caused by his own illegal conduct. (Secs. 2 (3), 8 (b) (3), 12 (a) (3), 12 (c), 301.)

5. The employer is granted the right to obtain injunctions against strikes which have been legal for the past 50 years. (Secs. 2 (13), 8 (b) (3), 12 (a) (3), 12 (c).)

6. The employer retains the right to bargain through an employers' association but bargaining through national unions is outlawed. (Secs. 2 (2), 2 (16), 9 (f) (1).)

7. The employer is granted the right to disregard the bargaining agent and to play employees against each other. (Secs. 2 (11) (B), 8 (b) (3), 9 (d), 9 (f) (2).)

8. The employer is granted the right to sit at both sides of the bargaining table by establishing company unions. (Secs. 8 (a) (2), 8 (d) (3), 9 (f) (4), 10 (c).)

9. The employer is granted the right to disregard the bargaining agent and to refuse to bargain about such matters as health and welfare plans, apprentice-training programs and speed-up. (Secs. 2 (11), 8 (b) (3), 12 (a) (3) (C).)

10. The employer is given the right to break a strike for recognition even though the union represents an overwhelming majority of the employees. (Secs. 12 (a) (3) (C), 12 (c).)

11. The employer is given the right to outlaw and to crush any strike by hiring strikebreakers even though the strike is caused by his own misconduct. (Secs. 2 (3), 12 (a) (3) (C), 12 (c).)

12. The employer is given the right to cooperate with antilabor employers in order to destroy unions. (Secs. 2 (13), 2 (14), 12 (a) (3).)

13. The employer is given the right to lock out and blacklist office clerks if they join a union. (Secs. 2 (3), 2 (12), 12 (a) (3).)

14. The employer is given the right to invoke injunctions, treble damage suits and criminal penalties against the employees in one department if they strike against a wage cut in another department. (Secs. 2 (13), 12 (a) (3), 301.)

15. The employer is given the right to instigate criminal prosecutions against individuals who exercise the right to picket. (Secs. 12 (a) (1), 12 (a) (2), 301.)

16. The employer is given the right to prevent the designation of a bargaining agent for a period of years. (Secs. 3, 9 (c) (3), 10 (f).)

17. Spies may be planted in the union ranks by the employer and the union is powerless to expel them. (Secs. 8 (d) (4), 10.)

18. The employer is given the right to grant or deny union security as he wishes; he is not required even to discuss it with the union, and he may crush a strike or a threat of strike to obtain it. (Secs. 2 (11), 8 (b) (3), 8 (d) (4), 9 (g), 12 (a) (3) (C), 301.)

19. The employer is given the right to crush any strike when a collective-bargaining contract exists, even if the strike is caused by an issue not covered by the contract. (Secs. 2 (11) (A), 8 (b) (3), 12 (a) (3) (C), 301.)

20. The employer is given the power to obtain from the Government a death warrant for the union of his employees. (Secs. 8 (b), 8 (c), 9 (f), 10 (a), 10 (c), 12 (d).)

Sponsored by the following Members: JOHN LESINSKI, AUGUSTINE B. KELLEY, ADAM C. POWELL, JR., RAY J. MADDEN, ARTHUR G. KLEIN, JOHN F. KENNEDY, CHET HOLIFIELD, FRANCK R. HAVENNER, GEORGE P. MILLER, MARTIN GORSKI, THOMAS S. GORDON, MICHAEL A. FEIGHAN, FRANK M. KARSTEN, WALTER B. HUBER, HELEN GAHAGAN DOUGLAS, JOHN D. DINGELL, MARY T. NORTON, JOHN A. BLATNIK, MIKE MANSFIELD, WALTER K. GRANGER, JOHN A. CARROLL, JOHN KEE, ADOLPH J. SABATH, MELVIN PRICE, DONALD L. O'TOOLE, EMANUEL CELLER, CECIL R. KING, AIME J. FORAND, HERMAN P. EBERHARTER, VITO MARCANTONIO, JOHN E. FOGARTY, THOMAS E. MORGAN, FRANK BUCHANAN.

Mr. Chairman, not only is this not labor's bill of rights, this gives the employers the right to eliminate union organization except on a very restricted basis. The whole history of our Nation, the whole raising of the standard of living of our Nation, has come through union organization. The increase in purchasing power of the mass of the people has come through their right to organize and bargain collectively. Without that purchasing power the American system of free enterprise will collapse. We have in this Nation great monopolies Nation-wide in their scope, Nation-wide in their pricing arrangement, Nation-wide in their operation. They can sit around the table and agree upon a Nation-wide policy regarding maximum wages to their employees, but you deny the employees the rights you give the employers in this bill.

American workers will not suffer these injustices and indignities in silence and inaction. I warn you today that the passage of this iniquitous bill will bring trouble, strife, and bloodshed to the industrial scene in America. You cannot enforce servitude on freemen with laws or bayonets. History will prove my prophecy.

The Clerk read as follows:

TITLE II—CONCILIATION OF LABOR DISPUTES IN INDUSTRIES AFFECTING COMMERCE

OFFICE OF CONCILIATION

SEC. 201. (a) There is hereby created as an independent agency in the executive branch of the Government an Office of Conciliation, at the head of which shall be a Director of Conciliation (hereinafter called the "Director"), who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate of $12,000 per annum. Appointment of the Director shall be made without regard to political affiliations and solely on the ground of fitness to perform the duties of the Office in an efficient and impartial manner. The Director shall not engage in any other business, vocation, or employment.

(b) The Director may appoint and fix the compensation of such officers and employees and make such expenditures for supplies, facilities, and services as may be necessary to carry out his functions. Conciliators may be appointed without regard to the civil-service laws, but their compensation shall be fixed in accordance with the Classification Act of 1923, as amended. Neither the Director nor any officer or employee of the Director shall act as an arbitrator in any labor dispute.

(c) The principal office of the Director shall be in the District of Columbia, but he may establish regional offices convenient to localities in which labor controversies are likely to arise. He may by order, subject to revocation at any time, delegate any authority and discretion conferred upon him by this act to any officer or employee of the

Director. The Director may establish suitable procedures for cooperation with State and local agencies, and utilize the facilities and personnel of such agencies when adequate and when available without cost.

(d) The Director shall make an annual report in writing to Congress.

(e) All mediation and conciliation functions of the Secretary of Labor or the United States Conciliation Service under section 8 of the act entitled "An act to create a Department of Labor," approved March 4, 1913 (U. S. C., title 29, sec. 51), and all functions of the United States Conciliation Service are transferred to the Director. Such transfer shall take effect upon the sixtieth day after the date of enactment of this act. Such transfer shall not affect any proceedings pending before the United States Conciliation Service or any certification, order, rule, or regulation theretofore made by it or the Secretary of Labor.

With the following committee amendment:

On page 55, line 12, strike out the comma and the remainder of the line and all of lines 13 and 14.

The committee amendment was agreed to.

The Clerk read as follows:

FUNCTIONS OF DIRECTOR OF CONCILIATION

SEC. 202. (a) It shall be the duty of the Director, in order to prevent or minimize interruptions of the free flow of commerce growing out of labor disputes—

(1) to encourage employers and employees in industries affecting commerce to make and maintain agreements concerning wages, hours, and working conditions, and to encourage such employers and employees to settle their differences by conferences between representatives of the parties and by other peaceful means without resort to strikes, lock-outs, or any form of coercion or violence; and

(2) to assist parties to labor disputes in industries affecting commerce to settle such disputes through conciliation.

(b) The Director may, in his discretion, proffer his services in any labor dispute in any industry affecting commerce, either upon his own motion or upon the request of one or more of the parties to the dispute. Whenever the Director does proffer his services in any such dispute, it shall be the duty of the Director promptly to put himself in communication with the parties and to use his best efforts, by conciliation, to bring them to agreement.

(c) If the Director is not able to bring the parties to agreement by conciliation within a reasonable time, he shall seek to induce the parties voluntarily to seek other means of settling the dispute without resort to strike, lock-out, or other coercion. The failure or refusal of either party to agree to any procedure suggested by the Director shall not be deemed a violation of any duty or obligation imposed by this act.

STRIKES IMPERILING PUBLIC HEALTH AND SAFETY

SEC. 203. (a) Whenever the President finds that a labor dispute has resulted in, or imminently threatens to result in, the cessation or substantial curtailment of interstate or foreign commerce in transportation, public utility, or communication services essential to the public health, safety, or interest, the President shall direct the Attorney General to petition, in the name of the United States, any district court of the United States having jurisdiction of the parties, to enjoin acts or practices in connection with such dispute which are causing or threatening to cause the cessation or substantial curtailment of such services. If the court finds, after due hearing, that the acts or practices complained of are causing, or imminently threatening to cause, the cessation or substantial curtailment of interstate or foreign commerce in such services, and are thereby imperiling, or imminently threatening to imperil, the public health, safety, or interest, it shall have jurisdiction to enjoin such acts or practices and to make such other orders consistent with the continued maintenance of such services as it deems appropriate. Such orders may include provisions to facilitate the voluntary settlement of the dispute. Any settlement of the dispute shall be retroactive to the date of the issuance of the injunction, or to the date of the expiration of any applicable contract, whichever of such dates last occurs.

(b) In any such case the provisions of the act of March 23, 1932, entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," shall not be applicable.

(c) The order or orders of the court shall be subject to review by the appropriate circuit court of appeals and by the Supreme Court upon writ of certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28 secs. 346 and 347).

(d) Nothing in this section shall be construed to authorize any court to require any individual to render labor or service without his consent, or to forbid any individual from quitting his employment.

Mr. JAVITS. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. JAVITS: Page 57, line 10 to page 58, line 21, strike out the text of section 203 and substitute the following:

"SEC. 203. Whenever the President finds after investigation and proclaims that a labor dispute has resulted in, or imminently threatens to result in the cessation or substantial curtailment of interstate or foreign commerce in an industry essential to the public health or security, of sufficient magnitude to imperil or imminently threaten to imperil the public health or security, and that the exercise of such power and authority is necessary to preserve and protect the public health or security, the President is authorized to declare a national emergency relative thereto, and by order to take immediate possession of any plant, mine, or facility, the subject of such labor dispute, and to use and to operate such plant, mine, or facility in the interests of the United States; *Provided, however,* That (1) such plant, mine, or facility while in the possession of the United States and while operated in its interests, shall be operated only to the minimum extent which seems to the President necessary to protect the public health or security of the United States, or of any material part of the territory or population thereof; and (2) the wages and other terms of employment in the plant, mine, or facility so taken, during the period of Government possession and operation shall be as prescribed by the President pursuant to the applicable provisions of law, and to the findings of a panel or commission specially designated or appointed for the purpose by the President, which wages and other terms of employment shall be not less than those prevailing for similar work in the area of such plant, mine, or facility by private business; and (3) such plant, mine, or facility shall be returned to the employer as soon as practicable, but in no event later than 30 days after the restoration of such labor relations in such plant, mine, or facility, that the possession and operation, thereof, by the United States, or in its interests, is no longer necessary to insure the minimum operation thereof required for the protection and preservation of the public health or security; and (4) the President may by order confer authority upon any Government department or officer to take possession of, to operate, or to exercise any other of the powers herein granted to the President with respect to any such plant, mine, or facility; and (5) fair and just compensation shall be paid to the employer for the period of such possession and operation by the United States, or in its interests, as follows:

"(A) The President shall determine the amount of the compensation to be paid as rental for the use of such plant, mine, or facility while in the possession of or operated by the United States, or in its interests, such determination to be made as of the time of the taking hereunder.

"(B) If the employer is unwilling to accept as a fair and just compensation for the use of the property taken hereunder by the United States and as full and complete compensation therefor, the amount so determined by the President, the employer shall be paid 50 percent of such amount and shall be entitled to sue the United States in the Court of Claims or in any district court of the United States in the manner provided by sections 24 (20) and 145 of the judicial code (U. S. C., title 28, secs. 41 and 250), for an additional amount which when added to the amount so paid shall be equal to the total sum which the employer considers to be fair and just compensation for the use of the property so taken by the United States."

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes in support of his amendment.

Mr. JAVITS. Mr. Chairman, the amendment which I have proposed, though necessarily long in words, is brief in thought.

It proposes a substitute for the provision in the bill which says that in the event of a strike, or threat of strike, curtailing a public utility and imperiling the national health, safety, or interest, the President may direct the Attorney General to obtain an injunction, an injunction to deal with such acts or practices as are threatening this curtailment.

In short, it means that any collective activity of the employees in that particular public utility which will result in their going out on strike will be enjoined by the court. This section of the bill is careful to state that it does not make anybody work or prevent anybody from quitting, but we know as a practical matter that that kind of an injunction will make working people continue to work, if—and it is a big if—the injunction is effective.

The point of my amendment is to substitute for the injunction procedure now in the bill, which I consider involuntary servitude and ineffective in the public interest, a procedure for national seizure in any industry essential to the national health or security by which the President, in the exercise of his power in a national emergency, may seize any plant, mine, or facility of such magnitude that existing or directly threatened labor strife in it will imperil the national health or security, so that it may continue to operate. But when he seizes the property, the President is bound by five provisos. Those provisos are designed to profit from the experience which we have had in wartime seizures up to now. First, the property is not to be operated on a strikebreaking basis, but it is to be operated by the Government only to the minimum extent required for the public health or security.

Second, the employees—those who remain working—are to be paid the prevailing wages paid by private business in the area, so long as the property is in Government possession.

Third, the plant is to be restored to the ownership of the employer when normal labor relations have been restored.

Fourth, the President may exercise his powers through any Government department, or through a special officer for that purpose; and

Fifth, and this is very important, management is not just to continue to operate at its own profit or loss, as often has been the case in previous seizures of industrial property, but the Government is required to pay just compensation. It will, however, be paying compensation for use of the property in a struck or near-struck condition, and not for the use of the property in a going-concern condition, because that is the only time the Government takes it over.

This amendment sums up the basis of my whole opposition to this bill.

That is why I made it a point to speak on this section dealing with strikes imperiling public health and safety. This bill—and I say this not invidiously, for I think the bill is expertly drawn, from the point of view of the draftsmen, to button it up in order to carry out their ideas—but the policy of the bill trades on the fear of the American people—a very real fear and a very justifiable fear—that any labor group might paralyze the country's economy by a strike, whether it be in coal, steel, railroads, telephones, or tugboats.

I agree, and I think every Member of this House agrees, that the public interest is what we are here to protect—it, and it alone, is paramount to every other interest. I have therefore proposed an amendment to the bill which will enable us to serve the public interest. No public utility or essential industry should be permitted to paralyze the community at the will of the employees who work in it, or of their leaders, or of the employer.

I urge that what we should have done if we really wanted to serve the public interest was to pass a bill which would carry into effect some such scheme as I have proposed to deal with strikes imperiling the public health or security. It need not necessarily have been mine, it could have been any other; but some such bill should have been passed to first relieve the people of their perfectly understandable fear of national stoppage. Then we should have brought in bills to deal with such things as union democracy and responsibility, monopolistic boycotts, jurisdictional strikes, and additional unfair labor practices. Then we would be undertaking regulation of labor-union organization and practice and reforms in collective bargaining, not driven by public fear but as statesmen. What is being attempted here is what was attempted in the portal-to-portal pay bill, and I argued against it then, too, as a matter of statesmanship. I said then, and I repeat now, because it applies equally to this bill, this is not statesmanlike legislation; it is legislation driven by fear and vindictiveness; it is legislation with a cutlass, not a scalpel. The result of knocking out industry-wide bargaining will be the pulverization of labor unions. You do not simply break down the area of the unions' activity by this bill, you pulverize them.

The absolute restriction on employees' contributions to welfare funds cripples many unions in their normal collective-bargaining activities with a long background of good precedents. The riddling of the safeguards of the Norris-LaGuardia Act, permitting by this bill the widespread issuance of injunctions against employees in labor disputes, nullifies at a stroke a reform for which the rank and file of labor fought for two generations. These are aside from other objectionable features of the bill already enumerated in detail on this floor relating to the special restrictions on the union shop and other matters.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. JAVITS. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

Mr. THOMAS of New Jersey. Mr. Chairman, reserving the right to object, I should like to know whether, if the gentleman's amendment is approved, he will vote for this bill?

Mr. JAVITS. As a famous man once said, that is an "iffy" question. I would like to keep the "if."

The CHAIRMAN. Is there objection to the request of the gentleman from New York that he may proceed for two additional minutes?

There was no objection.

The CHAIRMAN. The gentleman from New York is recognized for two additional minutes.

Mr. JAVITS. I know what I am talking about in matters affecting labor, for I myself am the son of a workingman. My father was an operator on boys' knee pants—that means he sewed the seams on pants. When I was a boy I was told that before the days when unions in the clothing industry amounted to much, my father worked in a shop for 14 hours a day during the season. He carried his own machine on his back, supplied his own thread and his own needles and for all of this he received just about a current living wage. But the season lasted just 4 months, and for the other 8 months he had the privilege of starving to death.

I say that what you are doing in this bill in the pulverization of labor unions and in the destruction of gains made by working people for 50 years, is of a nature to bring back those sweatshop and substandard conditions. No American wants that to happen.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Chairman, sections 203 and 204 of this bill are designed to prevent strikes which will imperil public health and safety. The purpose of these sections is to establish machinery which will insure peaceful settlement of disputes which threaten to disrupt or curtail services essential to public health and welfare. The objective which is sought here is excellent; no one will dispute that public interest demands that strikes in essential industries should be avoided and, if possible, eliminated. Conceding the merits of the end which is sought, let us examine the means by which this end is to be attained. Let us attempt to determine whether the procedures provided in this bill are likely to achieve their purpose, and whether the use of these procedures provides the best available method by which disruption of essential services might be avoided.

This bill provides that whenever the President finds that a labor dispute threatens to interfere with public utility, transportation or communication services he shall direct the Attorney General to seek an injunction against the acts and practices complained of. After the injunction is issued it becomes the duty of the parties in dispute to spend the next 30 days in attempting to settle the dispute. If they cannot come to terms within 30 days the administrator of the National Labor Relations Act is to take a secret ballot of the employees on whether they want to accept the employer's offer of settlement and, if so, who is to represent them in the settlement negotiations. If the dispute is settled at this stage the injunction is dismissed. If no settlement is reached at this stage the Director of Conciliation is to notify the Chief Justice of the United States Court of Appeals for the District of Columbia who shall thereupon convene a special advisory board consisting of himself and two other members representing the employer and the employees in dispute. This advisory board must investigate the facts and within 30 days issue an opinion as to proper settlement of the dispute. Within 15 days after the opinion of the special board is rendered the administrator of the National Labor Relations Act is to take another ballot of the employees as to whether they are willing to accept the terms of the opinion and, if so, who is to represent them in drawing up an agreement with the employer. If the employer also accepts the opinion he shall enter into a contract with the employees' representatives. The bill expressly provides that neither party to the dispute shall be under any duty to accept the terms of the opinion of the special board. After this procedure has been completed or the dispute is settled the injunction is to be discharged.

It is immediately apparent that after all this lengthy and involved procedure has been completed the parties may find themselves in the identical position in which they were in the very beginning; the dispute is still there, no one has been satisfied, and nothing has been accomplished. The employees have been restrained from the use of their normal means of economic strength and persuasion but their grievance has not been resolved, and all efforts to resolve such grievance have been exhausted.

These sections would apply generally to labor disputes in the transportation, public utility, and communication fields.

They would in effect, single out employees in those fields for special treatment.

For these employees, the right to strike would be seriously limited. The question may well be raised whether, in view of this, provision should not be made for special consideration to be given to the interests of such employees in any settlements proposed by officials of the Government and by the special advisory settlement boards. Precedent for such special consideration is contained in other bills introduced in this Congress.

This bill would give to the employers engaged in these fields an inordinate power over the employees with whom they deal. The threat of injunction would constantly be held over the unions. These provisions would allow the employers to refuse to bargain in good faith, and by subterfuge and clouding of the issues, place the employees in an extremely untenable position.

Will all of this lead to industrial harmony and will the public interest be served thereby? The history of the injunctive process in labor disputes provides a clear answer to this question. The unsatisfactory results of the use of injunctions in labor disputes are too well known to require elaboration here. At any rate, we must squarely face the fact that use of the injunction has never encouraged industrial peace, but to the contrary has fomented disharmony and labor unrest. This fact has been so universally recognized that most American courts had begun to refuse to issue injunctions against labor activities long before laws prohibiting such injunctions were enacted. The labor injunction is no less evil now than it was in 1914 when the Clayton Act was passed or in 1932 when the Norris-LaGuardia Act became law. If we are seeking industrial harmony it seems the height of folly to adopt a method which has proved to be productive of nothing but industrial warfare and bitterness.

The second major consideration is whether the procedures set forth in sections 203 and 204 of this bill will encourage free collective bargaining. Authorities on labor-management relations testify that harmony between management and labor is best achieved by free bargaining processes. Compulsory arbitration is the antithesis of free collective bargaining. Both management and labor are in accord in their opposition to compulsory arbitration. They are against it because they know it does not work. They are against it because it means an undesirable extension of government controls into areas of free enterprise, because it restricts the freedom of contract, and because it interjects an artificial impediment into normal labor-management relationships. Other governments have experimented with compulsory arbitration and have found it to be unworkable. Industrial harmony rests upon a foundation of good will, and you cannot achieve good will by force. Both an employer and his employees are much more willing to abide by conditions of their own making than those which are thrust upon them.

It seems obvious that the machinery provided for in this bill will not encourage free collective bargaining, but by setting up administrative processes as an alternative to collective bargaining it will destroy the incentive to free bargaining. It will encourage both management and labor to rely upon governmental processes to settle their grievances and disputes. It will magnify disputes which might otherwise be settled easily and amicably at the conference table. In many cases either or both of the parties may feel that they can get a better deal from the special board than can be worked out through normal bargaining processes. It will multiply disputes because of the break-down in normal labor-management bargaining. The result may well be less favorable labor relations in our essential service industries, and a greater threat to impairment and disruption of such services. The experiences of our war emergency labor boards may be used as an example of this. During the functioning of the National War Labor Board many trivial disputes were brought before the Board for settlement. Normal bargaining processes were abandoned. The War Labor Board developed such an enormous backlog of cases that there was no reasonable possibility of expeditious handling of disputes. Many strike notices were filed purely because of the slowness of governmental processes. In short, it is very doubtful whether this procedure will promote industrial peace.

The procedure which would be established under this bill is heavy and cumbersome. It is unnecessarily complicated. It is surrounded by legal intricacies. It states that whenever the President shall find that a labor dispute "has resulted in, or imminently threatens to result in, the cessation or substantial curtailment of" essential services he shall direct the Attorney General to seek an injunction. But it establishes no criteria which the President is to apply, nor does it set forth any guides or definitions which might be followed. Thus, though the bill puts the President under a mandatory duty to take action to prevent strikes in essential services, in appropriate cases, it leaves room for wide controversy whether he should act or not act in any given case. The provisions requiring a ballot of employees as to whether they will accept the employer's last offer or the terms of the opinion of the special board appear to be based upon the assumption that the employees are always the adamant party in labor disputes. This assumption is not an accurate one, since frequently the opposite is true. Nonetheless, these provisions put the onus on the employees without regard to the possibility that the employer may actually be the adamant party. Sections 203 and 204 contain words and phrases which have very broad and general meanings. The broad scope of these words and phrases would undoubtedly add to the controversies growing out of the decision of the President to act or not to act in a particular case. It provides no guides for the courts to follow when considering applications for injunctions in these labor disputes. Although section 205 of the act provides that sections 203 and 204 shall not apply to disputes subject to the Railway Labor Act, it is difficult to know what type of transportation cases provided for in section 203 would be covered by the elaborate machinery called for under that section. If the transportation tie-up is to curtail commerce in such a way as to affect the public health or safety, it most certainly would be a form of transportation coming under the Railway Labor Act.

Further, a constitutional question arises in connection with that portion of the bill which provides for delegation of administrative functions to the chief justice of the United States Court of Appeals for the District of Columbia. It is an established rule of law that the legislature may not confer exclusively nonjudicial powers on courts and judges. The labor disputes which would be referred to the chief justice under this bill would not involve justiciable issues of law. They would involve wages, hours, working conditions, and the like; not legal rights and remedies. Giving the judges of our courts extrajudicial functions may seriously interfere with the exercise of their normal judicial functions. It is entirely conceivable that the time and energies of the chief justice of the United States Court of Appeals for the District of Columbia might be entirely absorbed by the administrative functions which this bill would place on him, and his judicial duties would have to be set aside. This would be a most undesirable result. Thus, serious doubts as to the correctness of this delegation of administrative power may be raised both from a legal aspect and from a social aspect. No consideration appears to have been given to the experience and background of the justices of the court of appeals in the highly specialized field of industrial relations. This should be a very serious consideration.

To sum up, the machinery provided for in this bill under the guise of settling disputes would deprive labor of its basic right to strike and would reintroduce the iniquitous injunction into the field of labor relations. This machinery would provide for Government interference by numerous branches of the Government. Under sections 203 and 204 the President, the Attorney General, the district courts, the Office of Conciliation, the Administrator of the National Labor Relations Act, the United States Court of Appeals and special boards would all be concerned with the handling of vital labor disputes. The provisions of these sections provide for more Government interference than ever before. It does not appear that this multiplicity of Government agencies, bureaus, and boards will do much to improve labor-management relations in essential industries.

Mr. MANSFIELD of Montana. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. MANSFIELD of Montana. Mr. Chairman, I am sorry to see a labor bill of the sort of H. R. 3020 brought before the House for our consideration. I say

this because the measure has been hastily conceived and certainly is not the result of impartial consideration. It is more than a coincidence that H. R. 3020 is offered at this particular time because it is evidently the result of the telephone strike now in effect. The telephone employees are striking, not because they enjoy so doing, but because it is an absolute necessity that they receive an increase in wages in order to live. The telephone strike will be only the forerunner of similar happenings if steps are not taken to reduce the cost of living. Does anyone in this Chamber want to take away labor's only weapon, the right to strike, in an effort to protect itself? Very evidently many Members are determined to punish all labor for the mistakes of the few; very evidently the spirit of ruthless destruction of labor's gains is on the march; and very evidently it will be successful today.

The legislation now before us will not settle labor-management problems. Instead, it will lead to confusion, chaos, and strife. This legislation nullifies the Norris-LaGuardia Act, the Wagner Act, and restores the injunctive process. This measure will insure industrial warfare, not industrial peace.

It is too bad that management, labor, and industry cannot or will not work together. It is too bad that this House considers antilabor legislation only when a strike situation is in effect. This results in an emotional feeling in passing judgment which augurs ill for our national welfare. Repressive, punitive, and vindictive labor legislation, such as this undoubtedly is, will do more to further industrial unrest and internal dissension than anything I know of.

It is too bad that this ill-considered and hastily drawn measure is before us. It is too bad that such bitter antilabor feeling is being displayed here today. It is too bad that impartial reasoning, good judgment, and common sense are so lacking as to make the passage of this bill only a continuation of the same type of ill-temper as marked the passing of the Smith-Connally Act. Mark my words: the results will be just as bad.

Mrs. DOUGLAS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. DOUGLAS. Mr. Chairman, while I am in general disagreement with the Hartley bill, H. R. 3020, I am particularly objecting to the apparent omissions from section 201 (e) of the proposed bill. This section transfers all conciliation functions of the Department of Labor to the Office of Conciliation. No mention is made of the other assets of the United States Conciliation Service, which are personnel, equipment, and records, unexpended appropriations, and other miscellaneous appurtenances which have been accumulated in almost 35 years of operations.

To me the most important omission is the transfer of personnel. The Congress is continuously stressing the desire of greater efficiency in the various Government agencies. Not in my limited knowledge of the actions of the Congress can I recall where a creative act establishing a superagency of the Government has not absorbed the agency whose functions are to be performed by the new agency.

The United States Conciliation Service is an unusual agency and is composed of several hundred persons of exceptional ability and training, and this Service should not be considered as one only of desks, stenographers, and such similar employees which usually make up so many Government agencies doing mostly routine work.

The personnel of United States Conciliation Service is composed of men and women who are specialists in the art of assisting men of managements and men of unions in reaching a solution of their differences. This requires years of training and application, and is not something that can be acquired by reading books. It requires tact and timing, and the knowledge of when to offer suggestions and when not to offer suggestions which are to be useful in concluding negotiations. This can only come from years of experience and the knowledge of how the particular suggestions were helpful in previous conferences. Many of these commissioners of conciliation are welcomed, year after year, by the same conferees because of their knowledge of previous contract and dispute negotiations. Many times a particular commissioner of conciliation is jointly requested by the disputants to be assigned.

Many of these commissioners of conciliation have had specialized training in certain industries before joining the United States Conciliation Service. Many were employers, some were employees, others served in advisory capacities. When a dispute arises in a highly industrialized industry, an expert with knowledge of the operations of this industry, one who is familiar with its special operations and its terms and products, is immediately available. Valuable negotiating time is saved, instead of the loss of time which would result if some inexperienced commissioner of conciliation were assigned who did not have such knowledge. There is no type of dispute which cannot be immediately handled by the United States Conciliation Service by the assignment of a competent and experienced commissioner of conciliation. I ask, should such a reservoir and storehouse be discarded at a time when we are desirous of most efficient operation of our various Government agencies?

A review of the personnel of the United States Conciliation Service will show that most of its commissioners of conciliation are career men who have grown with the Service. There are several commissioners of conciliation who have more than 25 years of service in this agency alone. Should such experience be discarded? One of the regional directors was a young man when he entered this Service at the time of the creation of the Department of Labor. Surely his experience is one that could not be acquired by another, even if he read all of the many books on the subject of labor negotiation. Many, many others have had from 5 to 20 years' service. Knowledge so gained cannot be transferred to those with no experience. If the appointments by the new agency are to be on a political basis, then it will become a political football, and it will lose its power of negotiating settlements of strikes and disputes. Politics will be the controlling factor, and knowledge, experience, and ability will be relegated, and incompetence will supersede efficiency. The impartiality which is the prevailing gospel of the United States Conciliation Service will soon disappear, and employers and unions will attempt to settle their differences without the assistance of the new agency, and lacking in reaching a settlement, then economic chaos will be the final result.

You must have the confidence of the parties to any dispute if you expect to be helpful. What characteristics would you want in the commissioner of conciliation you would call in to preside in your negotiations? Certainly you would want experience, ability, knowledge, confidence, responsibility, and the assurance that the commissioner is absolutely impartial and his only place in the picture is a humanitarian desire to assist the parties in reaching a satisfactory conclusion to their differences and the avoidance of a work stoppage which is always costly to employer and employee. Surely the desire on the part of the Congress to so assist in labor unrest should in itself augur without hesitancy in the transfer of these competent employees to the new agency. Needless to say, such transfer should include the other facilities mentioned in my opening remarks.

Finally, it is commonly recognized by everyone that faithful service should be appreciated. The complex and complicated techniques of a commissioner of conciliation cannot be gleaned except by years of application and study and a sincere desire to accomplish a purpose as worthy as any in this wonderful land of ours. This recognition is as old as Christianity. St. Paul in a letter to Timothy in the year 66 A. D. said:

> It is not fit the public trusts should be lodged in the hands of any, till they are proved and found fit for the business they are entrusted with.

John C. Calhoun said in a speech in 1835:

> The very essence of a free government consists in considering offices as public trusts, bestowed for the good of the country, and not for the benefit of an individual or a party.

I do not believe that there is need for a new agency, but if this Congress is to create one, I beseech that proper consideration be given my suggestion that the new Office of Conciliation contemplated by H. R. 3020 absorb all of the United States Conciliation Service and not part of it.

There is no substitute for knowledge and ability.

Mrs. NORTON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mrs. NORTON. Mr. Chairman, I rise in opposition to section 2, subsection 11 of the bill. I can imagine no more cleverly designed nor subtly conceived method of deluding American labor than by this attempt to define "collective bargaining." The section is a mere collection of formalistic procedures that make a mockery of genuine collective bargaining.

It is perhaps one of the most vicious and misleading provisions of the entire measure.

The tragedy of our experience from 1926 through 1933 during which American industry engaged in unholy competition for the abundant labor supply and man was pitted against man in a race for the lowest possible wage only hastened the approach of the great depression of that period, increased its severity, and lengthened its duration. This period of labor-relations history was principally characterized by an absence of unions and a lack of collective bargaining. The result was individual bargaining that drove wages and working standards lower and lower.

Beginning in 1933, under the enlightened leadership of President Roosevelt, Congress enacted into law requirements that should employees desire to do so they would be protected in their right to bargain on a collective basis. This attitude of government finally found expression in 1935 in the enactment of the NLRA.

That act guarantees to labor the right collectively to present their grievances and demands to employers and protects such employees in the exercise of that right. The principle involved was by no means new. The right protected was no gift from the Congress. That right exists by the very nature of man himself. It is a natural, inalienable right that had been recognized by philosophers and the courts alike. But the exercise of that right had long been denied American labor by the vast majority of American industry. The depressed living standards prior to 1933 and the ruthless denial to American citizens of their civil liberties is one of the most sordid chapters in our history.

But, as I say, in 1933 the first sincere Government effort to protect this right made its beginning. Finally, in 1935 the collective experience of the past Government efforts, under the guidance of Senator WAGNER, finally found expression in the NLRA.

That act requires that the employer sit down and make an honest, conscientious, good-faith effort to reach agreement with his employees in settlement of points of difference. This concept of collective bargaining means the carrying on of negotiations in an open, fair effort to reach an agreement covering wages, hours, and conditions of employment. This is the very heart of the Wagner Act. It is designed to the end that industrial dispute shall have the best chance to be settled reasonably, democratically, and peacefully. Every provision in the existing law is devised to advance that purpose.

What does the committee bill do to collective bargaining? First, it attempts vainly to define collective bargaining. In place of the requirement that the parties sit down with an open mind to reach accord, it substitutes a mechanical routine that is nothing more than an invitation to disagreement. It merely provides that the parties shall discuss any proposal at least five times within 30 days. Mind you, that is merely to discuss. It is not provided that the discussions must be in an atmosphere hopeful of agreement.

The obligation to bargain in good faith is abolished.

Although the submission of proposals and counterproposals is the surest evidence of good faith, the bill expressly states that such negotiation is no longer a legal requirement. This measure is satisfied if there is mere discussion.

The bill also severely limits the scope of collective bargaining by creating but five limited subjects for meaningless discussion. It certainly will be apparent to any who will take the time to acquaint themselves with the realties of industrial operations and labor relations that a willingness to discuss any issue bearing upon the employer-employee relationship is the only guarantee of avoiding friction.

The section is detailed and cumbersome and substitutes an empty formula for bargaining as a substitute for common, ordinary, decent efforts to reach an understanding. Whatever may be the legal significance of the bill in its entirety, I say to you that the section under discussion will only encourage and foster industrial unrest. I urge you in good conscience to strike this provision from the bill.

Mr. KEATING. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Chairman, when I was a candidate for office and since, I have several times stated my position on labor legislation to be in substance that I favored the passage of a constructive, curative labor bill which would further protect workingmen, their bosses, and most important of all, the innocent public from the paralyzing effects of serious and prolonged work stoppages and prevent the abuses visited on their members by dictatorial labor leaders but which would not, at the same time, be punitive or repressive in character, would not weaken or destroy the effectiveness of labor unions or those leaders who are sincerely and conscientiously representing their membership to the very best of their ability and would not create more economic disruption than it would cure. That is the kind of labor legislation which, I am convinced, the vast majority of the American public expects this Congress to pass.

No decision I have yet been called upon to make has been as difficult as this one. The measure before us certainly does not conform to my views in all respects. Probably if 435 Congressmen sat down to write a labor bill they would come up with 435 different answers.

I have supported several amendments which, in my opinion, would improve this legislation. Some have been adopted. Some have failed. I have vigorously opposed others which would strike a blow at organized labor, to which I am unwilling to subscribe. These have been defeated. In particular I have opposed the attempt to place a legal ban on the union shop where both employers and employees want it. That, in my judgment, is an unwarranted interference with collective bargaining. It is my settled conviction that the absolute ban on industry-wide bargaining which still remains in this bill is not the answer to the settlement of our labor controversies, although it should be emphasized that company-wide bargaining is still retained and that there are two other instances where this can be done: First, where the plants are within a radius of 50 miles and employ less than 100 persons; and, second, where the parties agree to operate on that basis as many, of course, did long before the passage of the Wagner Act. This particular provision was also immeasurably improved from the point of view of fairness by the amendment adopted here on the floor to impose the same restrictions against industry-wide action on employers as employees. Certainly that is only simple justice.

There are other provisions of this bill with which I emphatically disagree. I am sorry that the amendment for further study of the problem failed of passage. It is my sincere hope that in conference many of these matters will be remedied before we present a final piece of legislation to the American people.

On the other hand, there are many excellent features in this measure. I realize, too, that this committee has sat for months in hearings, taking testimony of scores of witnesses from all walks of life. I have studied their report and much of this evidence. I am fully aware that there have been serious abuses which cry out for our corrective treatment. Without any attempt to cover the field, I mention particularly the attempt to meet the problem of Nation-wide stoppages of vital production imperiling public health and safety, although, incidentally, the approach to this problem is not the precise one I would choose. I approve the ban on violence, jurisdictional strikes, secondary boycotts. I am against requiring a high-school band to pay a union musician to stand in the wings while they perform. I am against requiring an employer to submit to other featherbedding practices, thereby running up the cost of his product for the consuming public to pay. I favor forbidding those subversive elements who would destroy our way of life from controlling the destinies of labor unions, as I may say is the overwhelming sentiment of union members, themselves. I believe in the sanctity of contracts and that they should be binding and enforceable on both parties equally. I want to strengthen the Conciliation Service and really make it work. I want to put an end to the iniquitous practice of permitting the National Labor Relations Board in passing on labor disputes to act

as prosecutor, judge, and jury. I believe in free speech for both employer and employee, so long as the right is not abused. I believe when a plant is threatened with closure because two labor unions each claim to represent a majority of the employees, that the employer should have the right to ask for an election. I believe emphatically in declaring it to be an unfair labor practice for a union to coerce its members, to impose exorbitant initiation fees, to fine or discipline them because they criticize or differ with the officers or fail to support some political candidate, to employ someone to spy on members or intimidate his family. I believe unions should be required to keep and present to their members financial statements, as many now do. I favor the democratization of labor organizations to give the members a voice in fixing dues, making deductions from their pay envelopes, election of officers, and calling strikes.

These features will be welcomed, not only by millions of union members, but also by many farseeing labor leaders who are as anxious as we are to root out those evils which might hamper the growth and development of the labor-union movement and might tend to breed public disfavor.

Analysis convinces me that there is more, much more, in this bill to commend than to condemn. A vote "no" would sound the death knell of any labor legislation. The country requires, the public demands, relief. A favorable vote will start a labor bill on the legislative path. After the other body has acted and the conferees have met the final legislation will be back here for us to take another look. The imperative needs of this Nation, as I view them, would not justify me in a negative vote. The scales tip heavily the other way. I have decided to support this bill.

Mr. VURSELL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VURSELL. Mr. Chairman, for 2 days now, H. R. 3020, a bill to bring about greater industrial peace between employers and employees, has been before this House. There is no question but that broad and comprehensive legislation along this line should be passed. I do believe, however, that while this bill has many splendid provisions which will be beneficial to labor, business, and the general public, yet, that some of those provisions go too far.

I was in hopes when the amendment was offered by the gentleman from Wisconsin to amend the industry-wide bargaining provision, that the House would approve it. I supported that amendment.

I believe the bill goes entirely too far in its provisions with regard to pension, health, and welfare funds, which have been practiced for many years between employers and employees. I was in hopes the House would approve these two attempts to amend the bill as to those provisions; however, it did not.

It is my hope that the Senate in both of these instances will amend the bill, making it what I believe to be more equitable in the interest of employees and employer.

Mr. Chairman, this bill places the Members of the House in a position where if they vote against it, they are, in fact, expressing themselves as opposed to any labor-management legislation at this session. If we take this position we will fail to respond to the wishes of a great majority of the people of this Nation who know, as we Members of Congress know, that it is imperative that some of the flagrant abuses practiced in the larger industrial centers by some of the more radical types of organized labor should be curbed as quickly as possible.

I have received many letters from the honest rank and file of labor who have urged that some restrictive legislation against these abuses be passed. In fact, the majority of the rank and file of labor approve of many of the provisions of this bill because it gives to them greater democracy in their local unions, and gives them protection from intimidation and coercion that they need and want. They oppose some of its provisions.

Mr. Chairman, I believe when this bill goes to the Senate for amendments and to the committee of the House and Senate, that the bill will most likely come back to this House in such form that it will be helpful in the future, not only to the general public and to the employers, but to the majority of the rank and file of labor. With the hope that it will be improved in the Senate, I feel that it is my duty to vote for this measure rather than to vote against it which, in fact, would be taking the position that no legislation of this kind is needed in this session.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. ANGELL. Mr. Chairman, this is an omnibus bill on labor-management relations. It is far reaching and controversial. It is interesting to compare the contentions of those who favor this bill and those who oppose it. For that purpose I include herewith the contentions of each group:

PROPONENTS

LABOR'S NEW BILL OF RIGHTS UNDER THE HARTLEY BILL—H. R. 3020

1. The right to join with his fellow workers to select as their bargaining agent the union that they want, not the union that is forced upon them. (Secs. 7 (a), 8 (a) (1), 8 (a) (3), 8 (b) (1), 9 (c) (2), 9 (f) (2), 9 (f) (4), 9 (f) (5).)

2. The right to get a job without joining any union. (Secs. 8 (a) (3), 8 (d) (4).)

3. The right to vote by secret ballot in a fair and free election on whether his employer and a union can make him join the union to keep his job. (Secs. 8 (d) (4), 9 (g).)

4. The right to require the union that is his bargaining agent to represent him without discriminating against him in any way or for any reason, even if he is not a member of the union. (Sec. 8 (b) (2).)

5. The right with his fellow employees to make demands of their own and to bargain about them through the leaders of their own local union without dictation by national and international officers and representatives and without regard to the demands of other employees upon other employers. (Sec. 9 (f) (1).)

6. The right to keep on working and getting his pay in spite of sympathy strikes, jurisdictional disputes, illegal boycotts, and other disputes that do not involve him and his union or his employer. (Sec. 12 (a) (3) (A).)

7. The right to know what he is striking about before he is called out on strike, and to vote by secret ballot in a free and fair election on whether to strike or not after he has been told what his employer has offered him. (Sec. 2 (11).)

8. The right to express his opinion concerning union policies, union officers, and candidates for union office, and to make and file charges against his employer, the union, or union officers, without suffering any penalty or discrimination. (Secs. 8 (a) (4), 8 (c) (5).)

9. The right to vote by secret ballot, without fear, in free and fair elections on any matter of union policy—how much dues he shall pay, what assessments the union can make him pay, what the union can spend the money for. (Sec. 8 (c) (2).)

10. The right to vote by secret ballot in free and fair elections for his own choice of union officers. (Sec. 8 (c) (8).)

11. The right to know how much money his union has, how much it pays its officers, and how much of the union's money the officers use for their expenses. (Sec. 8 (c) (10), 303.)

12. The right to refuse to pay the union for any kind of insurance that he does not want. (Sec. 8 (c) (3).)

13. The right to stay a member of a union, without being suspended or expelled, except for (1) not paying dues, (2) disclosing confidential information of the union, (3) violating the union's contract, (4) being a Communist or fellow traveler, (5) being convicted of a felony, that is, of a serious crime, (6) engaging in disreputable conduct that reflects on the union. (Sec. 8 (c) (6).)

14. The right to be free of threats to his family for doing things in connection with union matters that an employer or a union does not like. (Secs. 8 (a) (1), 8 (b) (1), 12 (a) (1).)

15. The right to settle his own grievances with his employer. (Sec. 9 (a).)

16. The right, without fear of reprisal, to support any candidate for public office that he chooses and to decide for himself whether or not his money will be spent for political purposes. (Sec. 8 (c) (5).)

17. The right to go to and from his work without being threatened or molested. (Sec. 12 (a) (1).)

18. The right to have a fair hearing, before an impartial board, without cost to himself, whenever he believes that any employer or any union is depriving him of these rights. (Sec. 10.)

OPPONENTS

THE HARTLEY BILL—A NEW GUARANTY OF INDUSTRIAL SLAVERY

1. The employer is granted new rights and powers to destroy labor and to substitute individual bargaining for collective bargaining. (Secs. 1, 2, 7, 8 (b), 8 (c), 8 (d), 9 (a), 9 (c), (2), 9 (c) (3), 9 (f), 10, 203.)

2. The employer is given the right to bring antitrust actions against his employees, to institute criminal prosecutions against them, to sue them for treble damages and to obtain ex parte injunctions without a hearing against them. Sections 12 (a) (3) (C), 12 (c), 301. But the employer's violation of the law is subject merely to a cease and desist

order issued after administrative hearing and court review. (Sec. 10 (c).)

3. The employer is granted the right to compel employees to accept a wage cut through forced labor for indefinite periods of time. (Secs. 2 (11) (B), 2 (13), 8 (b) (3), 203, 204.)

4. The employer receives the right to break strikes caused by his own illegal conduct. (Secs. 2 (3), 8 (b) (3), 12 (a) (3), 12 (c), 301.).

5. The employer is granted the right to obtain injunctions against strikes which have been legal for the past 50 years. (Secs. 2 (13), 8 (b) (3), 12 (a) (3), 12 (c).)

6. The employer retains the right to bargain through an employers' association but bargaining through national unions is outlawed. (Secs. 2 (2), 2 (16), 9 (f) (1).)

7. The employer is granted the right to disregard the bargaining agent and to play employees against each other. (Secs. 2 (11) (B), 8 (b) (3), 9 (d), 9 (f) (2).)

8. The employer is granted the right to sit at both sides of the bargaining table by establishing company unions. (Secs. 8 (a) (2), 8 (d) (3), 9 (f) (4), 10 (c).)

9. The employer is granted the right to disregard the bargaining agent and to refuse to bargain about such matters as health and welfare plans, apprentice-training programs and speed-up. (Secs. 2 (11), 8 (b) (3), 12 (a) (3) (C).)

10. The employer is given the right to break a strike for recognition even though the union represents an overwhelming majority of the employees. (Secs. 12 (a) (3) (C), 12 (c).)

11. The employer is given the right to outlaw and to crush any strike by hiring strikebreakers, even though the strike is caused by his own misconduct. (Secs. 2 (3), 12 (a) (3) (C), 12 (c).)

12. The employer is given the right to cooperate with antilabor employers in order to destroy unions. (Secs. 2 (13), 2 (14), 12 (a) (3).)

13. The employer is given the right to lock out and blacklist office clerks if they join a union. (Secs. 2 (3), 2 (12), 12 (a) (3).)

14. The employer is given the right to invoke injunctions, treble damage suits, and criminal penalties against the employees in one department if they strike against a wage cut in another department. (Secs. 2 (13), 12 (a) (3), 301.)

15. The employer is given the right to instigate criminal prosecutions against individuals who exercise the right to picket. (Secs. 12 (a) (1), 12 (a) (2), 301.)

16. The employer is given the right to prevent the designation of a bargaining agent for a period of years. (Secs. 3, 9 (c) (3), 10 (f).)

17. Spies may be planted in the union ranks by the employer, and the union is powerless to expel them. (Secs. 8 (d) (4), 10.)

18. The employer is given the right to grant or deny union security as he wishes; he is not required even to discuss it with the union, and he may crush a strike or a threat of strike to obtain it. (Secs. 2 (11), 8 (b) (3), 8 (d) (4), 9 (g), 12 (a) (3) (C), 301.)

19. The employer is given the right to crush any strike when a collective-bargaining contract exists, even if the strike is caused by any issue not covered by the contract. (Secs. 2 (11) (A), 8 (b) (3), 12 (a) (3) (C), 301.)

20. The employer is given the power to obtain from the Government a death warrant for the union of his employees. (Secs. 8 (b), 8 (c), 9 (f), 10 (a), 10 (c), 12 (d).)

Mr. EVINS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS. Mr. Chairman, I have not only studied the provisions of H. R. 3020, the so-called omnibus labor bill which we have been considering, but I have also listened to the debates on this bill with great interest—interest because of its importance as affecting an improvement in management-employee relations and as affecting the internal and domestic security of our country—and in the accomplishment of these objectives, I am exceedingly interested. You know, Mr. Chairman, it has been said that a new Member of Congress should not speak on the floor of the House for several years. Doubtless, this is a wise policy. I want to say, however, that in departing from this policy I am doing so in order that I might say that in my humble opinion there exists today in America a great need for sound, wise, and constructive labor legislation and that I have been hoping for an opportunity to vote for legislation of this character. I shall vote for this bill—H. R. 3020—the Hartley bill—not because I think the bill embraces all of these virtues—it does not—but because it is the only labor bill we shall have an opportunity to vote for during this session of the Congress, and I feel that the people of our country are insistent that legislation to improve labor-management relations be passed by this Congress.

I am convinced that this bill contains some worth-while and desirable provisions such as, for instance, the section dealing with arbitration and mediation of labor disputes and establishing a 75-day cooling-off period during which time labor difficulties may be settled prior to the calling of a crippling strike. Further, many of the unfair labor practices enumerated in the act should be prohibited and the declared objectives of the statute, namely, to provide orderly and peaceful procedures for settling employee-management disputes and the protection of individual employee rights with labor organizations, are all worth while and desired legislative objectives. Also, the measure is designed to prevent mass picketing, violence, bloodshed, and racketeering, and to protect the individual worker from extortion of undue and excessive fees and dues as a prerequisite to getting a job and securing employment.

The bill guarantees and protects employees in their rights of organizing and joining the union of their choice. In addition, the bill protects employee's right to bargain collectively through representatives of his own choice. The latter are among the fundamental rights of the laboring man which should be protected. The bill is aimed, in part, in securing these rights for the laboring man while also endeavoring to protect the public interest by outlawing practices of certain organized labor racketeers.

No one wants to do anything to interfere with the rights of the workingman. America has been made great by the efforts of the workingmen in our country. We in America believe in work and the fruits of effort and toil. Our forefathers were men who earned their living by the toil and sweat of their brow and I may say that work and effort is what has made our country great. What the American public wants is legislation to curb the autocratic power of labor dictators such as John L. Lewis, who during the war and since—at his own whim—has called crippling strikes against the Federal Government, defied the President of the United States and been found guilty of contempt of our Federal courts. The unrestrained exercise of power of this sort must be restrained.

In 1890 the Congress passed the Sherman Antitrust Act—the first of the so-called antitrust statutes. In 1914 Congress passed the Clayton Act, another of the antitrust statutes. Under the provisions of these acts all contracts in restraint of trade were declared illegal. The language of the statute did not say that "industrial contracts" or that "labor contracts" or combinations in restraint of trade were illegal, but that "all contracts" of this character were illegal and thus it was felt and assumed, for a quarter of a century, that labor organizations were subject to the provisions of the antitrust laws. However, during 1936 the Supreme Court held in a celebrated decision that labor unions were not subject to the provisions of the antitrust laws, and as a consequence union leaders were given the green light, so to speak, and many of the monopolistic labor practices developed. No legislation comparable to the antitrust statutes applicable to labor organizations has been passed.

President Truman has asked that the Congress consider legislation to curb certain tendencies which dictatorial labor leaders have foisted upon the people of America. It has been pointed out in the debates on this bill that certain leaders have endeavored to become greater than the Government itself and in the exercise of their power they have flouted governmental authority—they have ignored the welfare of the people of the Nation as well as the best interest of the workingman whom they have pretended to represent.

H. R. 3020 is designed, in part, to prevent the exercise of these excessive powers of unscrupulous labor racketeers. Should the provisions of this bill prove too drastic, as many predict, amendments can and should be effected.

The administration of statutes has always demonstrated the need for alteration and improvement, and changes in time will be made in this measure. It is not a perfect piece of legislation—far from it—but the bill does represent a concerted effort to improve labor-management relations; to reverse the alarming trends of widespread strikes and industrial unrest in our country and is the only bill of this character that this Congress will have for consideration.

Should both management and labor sense their high responsibilities to the

Nation, the problems of labor-management relations can be solved successfully; and the liberty for which our forefathers founded this country and for which the soldiers of our own generation have so recently fought can be regained and insured.

Mr. HOLIFIELD. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, I wish to oppose the establishment of this new agency called Office of Conciliation as provided in H. R. 3020. When a business corporation wants to revitalize one of its departments, it calls in its own experts, it seeks outside advice, and after careful study it begins to place the experts' recommendations into effect. Once the department begins to operate efficiently, it is not stopped because a group of the nonexperts believe it will operate just as well if: First, a new building is built to house the department; second, the experienced employees were all discharged; third, the customers are told to buy the product without regard to quality. If anyone were brash enough to make such a suggestion, the officials of the corporation would suggest he see a psychiatrist and privately wonder how he had managed to stay on the loose for so long. This simile is not farfetched. We have today before us H. R. 3020. This bill provides for an Office of Conciliation. In addition to being as fantastic as the just-as-well advice, this proposal takes away from President Truman the honor and credit due to him for building a sound and effective Conciliation Service with the help and advice of labor and management. I was so struck by this open attempt to rob Mr. Truman of his laurels in this field, that I want to repeat them for the record.

Back in 1945, the President, who had foreseen the catacylsmic struggle between management and labor which occurred early in 1946, called together a conference of labor and management officials to discuss various problems confronting them and to try to reach some understanding of each other's positions. Mr. Truman knew, as he knows now, that the question of labor relations is a question of rights and duties of the individual, and he wanted the individuals who knew most about it to attempt to solve some of their problems. The President knew that whatever recommendations came of that conference would have to be accepted by the individuals affected, if these recommendations were to be effective. In his opening address to that conference he said:

> The men in this room direct a cross section of American industry and lead American labor of all opinions. But you will succeed only if labor and industry as a whole will willingly accept your decisions and will adopt the convictions developed out of this conference.

Out of that labor-management conference came three unanimous recommendations, and one of these dealt with conciliation. In the recommendation on conciliation we find that labor and management unanimously wanted the conciliation services of the Federal Government administered within the United States Department of Labor, and it also wanted a permanent labor-management advisory committee to the Director of the United States Conciliation Service of the Department of Labor.

Now let us look at a few more facts. The President asked his Secretary of Labor to follow faithfully this helpful direction. He so asked because he knew that in the conciliation of labor disputes the conciliator would have to be acceptable to those individuals who needed their disputes resolved. Conciliation is a friendly attempt to get two angry people back on speaking and living terms. If the two angry people do not like the friend who intervenes, conciliatory efforts can effect nothing. He knew that conciliation rests upon voluntaryism.

The Secretary of Labor did as the President directed. It is admitted by labor and management that the recommendations made have been put into effect. It is also a well-known fact that the United States Conciliation Service has increased its efficiency and effectiveness during the past year. Now, in the recent hearings before the Labor Committees of Congress, the majority of the witnesses on this question of conciliation still concurred in the recommendations of the President's conference of 1945 that conciliation remain in the Department of Labor. And so here we have what we in Congress seek in Federal Government. We have an able administrator recognize that one of his departments is not hitting on all cylinders, accept the advice of experts on the subject, put the advice into effect, and finally we see him rewarded with a smoothly operating department well on its way to being one of the best in his organization.

But now it appears that a Democratic President cannot do that to the Republicans. He cannot be nonpartisan and efficient. He has to disband this department. He has to set up a new department, the Office of Conciliation. He has to discharge all the men in his old department, men who have years of experience to help him keep down industrial disputes in this country He has to tell labor and management that he can no longer come to them for advice and help, for the bill makes no mention of this type of help in the new department. But, unfortunately, he is not the president of a free enterprise corporation. He cannot tell the drafters of this bill that they might well consult their physicians. He has to accept this attack on his administrative ability for the time being. But I want the record to show that President Truman's administration of conciliation services is impartial and efficient today. And could he administer this new Office of Conciliation with the same efficiency? Would he have the the same cooperation of management and labor? My distinguished Republican friends have seen to it that this new Office of Conciliation starts off with three strikes against it. These statesmen toss out all of the men who have had experience in mediating disputes—so the new agency starts out entirely new, without experienced personnel. They give no recognition to labor or to management for the contributions they have made to make Conciliation effective; they literally kick labor and management in the teeth and tell them to mind their own business, the Government will conciliate in its own way—a wonderful way of establishing friendship, the cornerstone of successful conciliation. And finally, they say in effect that the President has a year in which to make this new agency effective. A wonderful political weapon forged out of what is now a nonpartisan aid for the country's welfare. I want the record to show that in this field of labor relations, which the country rightly feels is our most important domestic problem, that President Truman has approached the important problem of conciliating labor disputes in a nonpartisan, efficient, and statesmanlike manner; whereas my Republican colleagues have forgotten the trust placed in them to play with this most important matter in an inefficient and partisan way.

Mr. Chairman, I believe that the present Conciliation Service is performing an effective, nonpartisan, impartial job, and it should not be tampered with.

Mr. PRICE of Illinois. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

MUST WE TURN BACK THE CLOCK?

Mr. PRICE of Illinois. Mr. Chairman, sections 203 through 205 of the proposed bill would empower the President to direct the Attorney General to petition any district court having jurisdiction over the parties for an injunction in any labor dispute which threatens substantially to curtail interstate commerce in transportation, public utilities, or communications services essential to the public health, safety, or interest. In such cases the inhibitions of the Norris-LaGuardia Act are rendered inoperative, so that the court may issue the decree.

A hasty glance at these provisions suggests that their application is limited to the transportation, public utility, or communications industry. Do not be misled. This bill if enacted would authorize the issuance of Federal injunctions in any dispute which threatened "substantial curtailment" of services provided by these industries which is deemed essential to the public interest. Certainly disputes involving fuels would be covered. Why not those involving electrical equipment, rubber tires, or copper wire? The ramifications are endless, but the point is clear. This section would permit injunctions to be issued in virtually every major industry.

The Representative from New Jersey describes this bill as one which will take labor relations out of the subject of politics. I say to you that clauses such as those under discussion could not be better calculated to inject politics into an area from which the Norris-LaGuardia Act has removed them. Who in this Chamber is so naive as to think that any major dispute could stay out of the political arena when the President has the power to enjoin any dispute which

threatens to curtail essential transportation, communications, or utility services?

Presumably the authors of this bill sincerely desire to avoid the national disaster of last winter when millions of industrial workers went out on strike, many of them for several months. What does this bill do to prevent a repetition of such a catastrophe? The bill employs the most drastic weapon in the entire arsenal of labor relations, the weapon which unions have for over 50 years regarded as management's trump card in attacking their very existence. It employs this weapon as soon as the President finds the threat, perhaps before any efforts whatever have been made to mediate. The bill contemplates 30 days of negotiations after the decree has been issued. But consider for a moment, if you will, how hopelessly unrealistic is the concept of fruitful bargaining on the one hand by employees who feel themselves handcuffed by Government decree and on the other hand by employers who know that the union has been forbidden to strike.

Ladies and gentlemen, I submit that if you wish to solidify all labor not only against all management, but against this Congress as well, if you want to insure that the entire Federal machinery of the President, the Attorney General, the district courts, the Administrator of the National Labor Relations Act, and the Court of Appeals for the District of Columbia will be dragged into every labor dispute of consequence, you have chosen an admirable technique for accomplishing that frightful result.

Surely a more constructive approach is possible to this problem. We must make sure that all genuinely voluntary efforts are exhausted before we turn to the totalitarian technique of molding our social relations by fiat. We dare not cast aside all the progress of recent years in favor of an ill-considered patent-medicine doctrine which will set our industrial relations back 20 years.

Mr. LANHAM. Mr. Chairman, I ask unanimous consent to extend by remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANHAM. Mr. Chairman, I am in favor of the amendment of the gentleman from New York [Mr. JAVITS] because I think it is fair to labor, to the employer, and, most important of all, that it protects the public from paralyzing Nation-wide strikes.

I agree with the gentleman from New York [Mr. JAVITS] that H. R. 3020 pulverizes the unions and reduces them to impotency. I am heartily in favor of correcting the labor abuses that exist and have voted for each amendment that I thought would perfect this bill and get it in such shape that I could vote for it, but those favoring the bill have consistently voted down all liberalized amendments, and I am certain that the bill as written will return us to the days of the sweatshops.

I am quoting here the words of Hood's well-known poem, The Song of the Shirt; it is one of the most moving things of all literature:

THE SONG OF THE SHIRT

(By Thomas Hood)

With fingers weary and worn,
  With eyelids heavy and red,
A woman sat, in unwomanly rags,
  Plying her needle and thread.
Stitch, stitch, stitch,
  In poverty, hunger, and dirt;
And still with a voice of dolorous pitch,
  She sang "The Song of the Shirt."

Work, work, work,
  While the cock is crowing aloft.
And work, work, work,
  Till the stars shine through the roof.
It's O to be a slave
  Along with a barbarous Turk
Where a woman has never a soul to save,
  If this is Christian work.

Work, work, work,
  Till the brain begins to swim.
Work, work, work,
  Till the eyes are heavy and dim.
Seam, gusset, and band,
  Band, gusset, and seam,
Till over the buttons I fall asleep
  And sew them on in a dream.

O men with sisters dear,
  O men with mothers and wives,
It is not linen you are wearing out,
  But human creature's lives.
Stitch, stitch, stitch,
  In poverty, hunger, and dirt.
Sewing at once, with a double thread,
  A shroud as well as a shirt.

But why do I talk of death,
  That phantom of grisly bone?
I hearteily fear its terrible shape,
  It seems so like my own,
It seems so like my own
  Because of the fasts I keep;
O God, that bread should be so dear,
  And flesh and blood so cheap.

Work, work, work,
  My labors never flag;
And what are its wages? A bed of straw,
  A crust of bread, and rags.
That shattered roof and the naked floor,
  A table, a broken chair,
And a wall so blank my shadow I thank
  For sometimes falling there.

Work, work, work,
  From weary chime to chime;
Work, work, work,
  As a prisoner works for crime.
Band, gusset, and seam,
  Seam, gusset, and band,
Till the heart is sick and brain benumbed,
  As well as the weary hand.

Work, work, work,
  In the dull December light.
Work, work, work,
  When the weather is warm and bright.
While underneath the eaves
  The brooding swallows cling
As if to show me their sunny backs
  And twit me to the spring.

O but to breathe the breath
  Of the cowslips and primrose sweet,
With the sky above my head
  And the grass beneath my feet.
For only one short hour to feel as I used to feel,
  Before I knew the woes of want
And the walk that cost a meal.

O but for one short hour,
  A respite however brief,
No blessed leisure for love or hope,
  But only time for grief.
A little weeping would ease my heart,
  But in their briny bed
My tears must stop, for every drop
  Hinders needle and thread.

With fingers weary and worn,
  With eyelids heavy and red,
A woman sat, in unwomanly rags,
  Plying her needle and thread.
Stitch, stitch, stitch,
  In poverty, hunger, and dirt;
And still with a voice of dolorous pitch,
  Would that its tone could reach the rich,
She sang this "Song of the Shirt."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. JAVITS].

The question was taken; and on a division (demanded by Mr. JAVITS) there were—ayes 41, noes 130.

So the amendment was rejected.

The Clerk read as follows:

SEC. 204. (a) Whenever a district court has issued an order under section 203 enjoining acts or practices which imperil, or imminently threaten to imperil, the public health, safety, or interest, it shall be the duty of the parties to the labor dispute giving rise to such order, for a period of 30 days following the issuance of such order, to make every effort to adjust and settle their differences, and to that end to utilize conciliation and mediation assistance of the United States Conciliation Service of the Department of Labor, if either party requests it. Neither party shall be under any duty, however, to accept either in whole or in part any proposal of settlement made by any conciliator or mediator.

(b) At the end of such 30-day period (unless the dispute has been settled by that time), the National Labor Relations Board shall provide for the taking of a secret ballot of the employees of each employer involved in the dispute on the question of (1) whether the employees of any employer desire to accept their employer's offer of settlement then current, and (2) if they do so desire, what person or persons, if any, they desire to designate as their representative to embody their acceptance in a contract with their employer. If a majority of the employees of any employer vote in favor of accepting their employer's offer, the person or persons, if any, designated by them to embody their acceptance in a contract with the employer shall be treated for all purposes as their representative for collective bargaining. The National Labor Relations Board shall utilize appropriate local governmental agencies for the supervision of the taking of secret ballots under this subsection, whenever such agencies are willing to undertake that function.

(c) If the dispute is not settled by the procedure prescribed in subsection (b), the Secretary of Labor shall notify the chief justice of the United States Court of Appeals for the District of Columbia, who shall thereupon convene a special advisory settlement board of three members, consisting of himself as chairman, and two other members, one of whom shall be selected by the employer or employers party to the dispute, and the other by the representatives of the employees party to the dispute. If either party fails, within 5 days after request by the chief justice of such court, to make his selection, such selection shall thereupon be made by such chief justice. The special board shall investigate all of the facts in the dispute at a place or places convenient to the parties, and within 30 days after its membership shall have been completed, shall render and make public its opinion as to the proper settlement of the dispute. The special board shall reach its conclusions and render its opinion solely on the basis of the facts of the case, and shall not be bound by any demands or offers of settlement of either party, or by the existing terms of employment, or by any opinion of any other board created under this section for any other dispute. The expenses of the special board, including compensation

of the employer and employee members, shall be divided equally between the parties to the dispute.

(d) Within 15 days after the special board has rendered its opinion, the National Labor Relations Board shall, in the same manner as is provided in subsection (b), provide for the taking of a secret ballot of the employees of each employer involved in the dispute on the question of (1) whether the employees of any employer are willing to accept and be bound by the terms of such opinion, and (2) if they are willing to be so bound, what person or persons, if any, they desire to represent them in making an agreement to that effect with the employer. If the employer also accepts such opinion, he shall embody the terms thereof in a contract with the representatives of his employees designated for that purpose. Neither party to the dispute shall be under any duty to accept the terms of the opinion of the special board.

(e) No provision of this section shall affect in any manner the continued effectiveness of the order of the district court issued under section 203.

(f) At the conclusion of all the proceedings hereinbefore required, or whenever an agreement is reached by the parties, the Attorney General shall move the court to discharge the injunction, which motion shall then be granted and the injunction discharged.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments:

Page 59, line 4, strike out "United States Conciliation Service of the Department of Labor" and insert "Director of Conciliation."

Page 59, line 11, strike out "National Labor Relations Board" and insert "Administrator of the National Labor Relations Act."

Page 59, line 25, strike out "National Labor Relations Board" and insert "Administrator of the National Labor Relations Act."

Page 60, line 7, strike out "Secretary of Labor" and insert "Director of Conciliation."

Page 60, after the period on line 14, insert: "If for any reason the chief justice is unable to serve, he shall appoint another judge of the United States Court of Appeals for the District of Columbia to act in his place and stead."

Page 61, line 11, strike out "National Labor Relations Board" and insert "Administrator of the National Labor Relations Act."

The committee amendments were agreed to.

Mr. HOFFMAN. Mr. Chairman, I offer three amendments directed to the same point, and in that connection I ask unanimous consent that they be considered together.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read as follows:

First amendment offered by Mr. HOFFMAN: Page 58, strike out all of section 204, all on pages 59 and 60, and the first eight lines on page 61.

Second amendment offered by Mr. HOFFMAN: Strike out subsection (f), lines 9 to 13, inclusive.

Third amendment offered by Mr. HOFFMAN: Page 62, strike out section 205.

Mr. HOFFMAN. Mr. Chairman, we have about reached the end of the discussion on this bill, but before the debate closes I would like to ask someone on the majority side whether this bill bars industry-wide bargaining. We have been told throughout the debate time and again that it does bar industry-wide bargaining. I know that the bill outlaws a strike in an effort to obtain an industry-wide contract, or industry-wide bargaining through the means of a collective-bargaining contract, but as the legislative counsel who drafted the bill stated to me not more than an hour ago, the bill does not bar industry-wide bargaining; that is to say, if John L. Lewis and the coal operators want to bargain industry-wide, they may do so.

I make this statement so we may be under no misapprehension when we come to vote. As to these amendments just offered, the amendments go to the procedure by which it is sought to prevent or to end strikes in public utilities which injuriously affect the public health, safety, and welfare. If you have noted, the bill, up until that place where I ask that the remainder of the section be stricken, provides that the President shall, when he deems imminent danger to the public, ask the Attorney General to apply for an injunction. That is all right so far as it goes. Then the bill provides for 75 days of fact-finding, mediation, and arbitration.

Now, I ask you a practical question. What is the answer to a situation where there is a strike, where the water or the light or the food, any necessity of life, is shut off by that strike? What are you going to do for 75 days? Are you going to sit around and go without water to drink? You could get along all right without water to wash, but you have to have something to drink. There is not enough milk and whisky and other liquids in the country to keep us going for 75 days?

You say to me, "What would you do?" I would have the court issue an injunction restraining the people who are on strike from interfering with the management, or the carrying on of the industry, and I would have the management hire new employees. "Oh no," they say, "we must arbitrate, we must negotiate for 75 days." Then if they fail to reach an agreement, what happens?

Look at the last section, 205. There the Attorney General is required to come into court and ask for a dismissal of the court proceedings. When I asked some Members, "What are you going to do then?" they said, "Oh, the President can declare the danger imminent again, and he can order the Attorney General to ask for another injunction." Then you have two injunctions, one following the other, and so on; the process can go on indefinitely.

What would I do? As I stated, I would compel the utility to operate. I would say to those people who do not want to serve the public, and they know they are in the public service when they go to work in an industry of that kind, "Listen, you strike and stay out on strike overnight or for 10, 12, or 24 hours, and you folks are out of a job." Just how do you expect to operate a public utility if those who go on strike or those who are working and say they are going to quit have that privilege and yet retain the status of employees? Are you or am I or is anyone going to work for that public utility, knowing, as he does, that when the company and the employees agree, if they do agree, he is going to be fired, kicked out? I agree with the gentleman who offered this amendment just a few moments ag , the thing that comes first in this country is the public welfare. However harmful to a minority group the procedure may be, the welfare of the Nation must be protected.

Mr. OWENS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment offered by the gentleman from Michigan would bring that section of the bill exactly to the point where it was when it was first presented as a part of the so-called quickie bill which was recently reported out of the Labor Committee. The committee after due deliberation decided that they certainly could not go into court and ask the court to grant an injunction against the employees, forcing them to work, and then do nothing whatever with respect to the employer. We prepared the sections of the bill which provide for a period of mediation, where the entire matter would be exposed to the public view and public pressure, and where the employer also would have to comply with the terms as well as the employees. The section provides for a reasonable period of mediation. I therefore ask that the amendment be rejected.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. OWENS. I yield to the gentleman from New York.

Mr. BUCK. It is furthermore a fact that the bill provides that any wage adjustment made is retroactive to the date of the issuance of the injunction.

Mr. OWENS. That is exactly true. It provides that any wage adjustment made goes back to the period when the difficulty first arose.

Mr. KERSTEN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. OWENS. I yield to the gentleman from Wisconsin.

Mr. KERSTEN of Wisconsin. In response to the remarks of the gentleman from Michigan that the bill in its present state does not prevent industry-wide bargaining, is it not a fact that the amendment just offered by me, and which was adopted, prohibiting contracts among employers fixing wages, does just exactly that, and would take care of Mr. John L. Lewis in that regard?

Mr. OWENS. The gentleman is exactly right; there is no question about it.

Mr. LANDIS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman from Michigan wants to give us an injunction with no opportunity to let the employees and employers get together. That is what we have in the coal industry today. We have the Government taking over the coal mines, with no opportunity for the operators and the miners to get together. They have had no opportunity to settle their dispute for about 10 months. This provision in the bill gives the employers and the employees a chance to get together and mediate, and then after they mediate for 30 days they have a chance to take a vote on the measure. If mediation fails and the vote fails, we put it before an arbitration board of three members for a period of 30 days and then they take another vote. This

gives some opportunity, and I would say in at least nine times out of ten gives the employers and employees a chance to get together and settle their disputes.

Of course, I expect the gentleman from Michigan wants an injunction that would last forever, but I think a 75-day injunction or a 90-day injunction is sufficient. This is similar to the Railway Labor Act. Under the Railway Labor Act there is provided a statutory injunction for the period of mediation and arbitration.

Mr. HARTLEY. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield.

Mr. HARTLEY. Is it not a fact that this matter was thoroughly discussed in committee and, as a matter of fact, the provisions which the gentleman seeks to amend are synonymous with the so-called emergency bill which the committee reported out. I might add, furthermore, as chairman of the committee, I am in full accord with the remarks of the gentleman from Indiana.

Mr. LANDIS. I want to thank the chairman for his contribution.

Mr. BREHM. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield.

Mr. BREHM. Is it not also true that the amendment offered by the gentleman from Michigan, if adopted, would bring the railway workers under this act, which I, for one, and I am sure many other Members of this Congress, do not want?

Mr. LANDIS. That is true.

LABOR'S LEGAL AND MORAL RIGHTS MUST BE PRESERVED

Mr. DONOHUE. Mr. Chairman, this so-called House omnibus labor bill, H. R. 3020, would change the whole range of national labor policy built up in the last 16 years, and reduce in every aspect the privileges and rights of labor. It would in effect abolish industry-wide bargaining.

It would repeal substantial sections of the Wagner Act, do away with the National Labor Relations Board, and bring unions under the penalties of the anti-trust laws.

Mr. Chairman, let us consider the first effect—namely, the reduction of labor's status. What does that really mean? It means that labor's position at the bargaining table will be weakened. It means that labor will be asked or forced to accept less favorable terms from management.

Make no mistake about that, Mr. Chairman and Members of this House, this bill is aimed straight at the vital provisions of some 50,000 union contracts covering some 15,000,000 union members. These are bread-and-butter contracts which directly touch the lives of workers and their families throughout this broad land.

This proposal to weaken labor's position at the bargaining table is placed before us at the very moment when soaring prices and swollen profits threaten the Nation with an economic upheaval. This bill comes to us at a time when management itself is aghast at its own gains, when the buying power of the Nation's wage and salaried workers is lagging dangerously.

I challenge any thoughtful person to deny that the greatest domestic problem we face is this problem of reaching a sound economic balance. A just and wise balance which will keep the wheels of industry turning at high levels of employment, production, and distribution. Moreover, we must do just that unless we mean to slip back into the old vicious circle of boom and bust—with all the hardship and suffering and financial loss which that will bring.

We are asked to believe that the way to security and abundance, to peace and progress, lies along the path of reaction in punitive moves directed against all forms of labor security. To all intents and purposes the net effect of this bill is to open up an area of confusion and controversy involving some 11,000,000 workers.

Do not forget, Mr. Chairman, that about 77 percent of the workers in this country who belong to unions would have their status changed by this bill.

Now it is perfectly obvious that such proposals open wide the door to industrial strife. Union security is the very heart of these contracts. In many cases these security provisions were won after long struggles against the bitterest opposition from open-shop employers. Given this historical background and the undeniable fact that some employers still are anxious to get rid of unions, I do not see how H. R. 3020 could fail to result in industrial chaos.

But, Mr. Chairman, that is not all this bill provides. It also seeks to abolish industry-wide bargaining and enacts other restrictions which will limit the scope of a given union agreement within an industry. One avowed purpose of this curtailment is to weaken labor's position at the bargaining table—to tie labor's hands when its representatives sit down to bargain with the Nation's industrial giants.

The attempts today to cripple and destroy the working people's right to bargain collectively on an industry-wide basis is directly opposed to the socially progressive movement in sound labor-management relations that has been steadily advancing for the past 150 years.

In his life of William Sylvis, one of the great creative pioneers of the American labor movement, Dr. Jonathan Grossman observes that during the decade preceding the Civil War railroad mileage was nearly quadrupled to 30,000 miles.

With the phenomenal growth of transportation in the 1850's there came into being a national market, and this new national market encouraged in turn a trend toward mass production and big business. From these developments, by a natural, inevitable process, was born the national trade union, and later on, national federations of labor.

The logic of this evolution is simple enough. The business of a trade union is to protect the living standards of its members. In a market economy where competition prevails, this means that the union must be perpetually on guard against the tendency to treat labor as a commodity, that is, to pay it a price determined solely by the law of supply and demand.

In order to accomplish this objective, labor must have the sanctioned right to seek uniform wage rates, hours and working conditions through industry-wide collective bargaining because:

First. It takes wage rates—but not wage costs—out of competition, and this is a good objective, since the labor of a human being should not be completely subject to the impersonal forces of the market place. Furthermore, by protecting decent employers from cutthroat competitors, who take an unfair advantage by paying antisocial, sweatshop wages, industry-wide bargaining promotes the only kind of competition that is morally justifiable or socially desirable; namely, competition based on managerial efficiency, service, and quality standards.

Second. It encourages a more intelligent and public-spirited approach to wages than does local bargaining. Our economy has become so complex and interrelated that the level of wages is now a matter of public concern. Collective bargaining on the local level ignores the national scene and is frequently conducted by men who are at best amateur economists. The situation is different when bargaining takes place on a national or regional basis. Then the negotiators are surrounded by experts, and the contract which eventually emerges responds to the needs of the entire industry and of the whole economy. More so than the product of local bargaining, it tends to reflect an objective analysis of facts; is less the outcome of a blind test of economic strength.

Third. It promotes industrial peace and stability by facilitating changes in wage rates demanded by shifting economic conditions. Instead of hundreds, or even thousands, of individual adjustments, with all the friction and loss of time these involve, a simple agreement for each industry, or each geographical division of the industry, is all that is required.

Fourth. It will eventually weed out incompetent employers who have managed to survive up till now solely because they underpay their workers, or it will force them to improve their methods. Since subnormal wages are a cost to the community, as well as a source of other social and moral evils, the exclusion of hopelessly incompetent employers is a desirable objective.

Fifth. It will promote uniformity in job classification. While some variety in classifying jobs may be permissible, there is little excuse for the anarchic differences which are fairly common in American industry. These remain a prolific source of unrest among the workers.

Sixth. It equalizes bargaining power between small employers and big unions.

Seventh. It is the only means by which competition can be regulated without having recourse either to government control or to private agreements among employers on prices and production.

The advantages of industry-wide bargaining manifestly outweigh the pretended disadvantages. Industry-wide collective bargaining is a healthy step toward maturity in industrial relations. It is an alternative to competitive

anarchy and government regulation, and it is a logical development in a progressive trend from excessive individualism to group responsibility, and proper social controls.

Today our huge and complex industrial structure is beset by the very problems and dangers that this bill would multiply tenfold. This is obvious to every housewife who goes shopping, to every worker who takes home a pay check. It is obvious to business and industry as they face the prospect of narrower markets and declining purchasing power.

Having been called upon to end price control, we are now asked to make an end of effective bargaining between labor and management.

Mr. Chairman, collective bargaining has become an integral part of America's industrial structure. And that is as it should be, for free collective bargaining is by far the most democratic and wholesome way of bringing about needed adjustments. It is the right way for labor and management to settle their differences and share their responsibilities. That is why I say that the arithmetic of true collective bargaining is also the arithmetic of true democracy.

Right here, Mr. Chairman, I want to comment on a rather curious fact. From the first beginnings of the American labor movement, the things which unions asked for—the bread-and-butter contracts which they sought—were denounced in many quarters. Then, after each gain had been won, historians and people generally looked back and agreed that labor's so-called demands were justified and necessary—because they represented the very things that gave meaning and purpose to our democracy.

This was clear enough in retrospect. It should be clear today. Would any one seriously claim that our economic stability is theatened because the Nation's wage and salaried workers are getting too large a share of the national income? On the contrary, the danger lies in another quarter.

Much is being said about the need for more democratic procedures within the ranks of organized labor. I would like to remind the authors of H. R. 3020 that the rank and file of union members are much closer to union affairs than are the electors of most cities. I would like to remind them that union members have a much more direct interest and a more direct voice in the way their unions are run than the citizens in the affairs of their city—where the latter are permitted a voice.

Democracy in unions is not perfect, but it compares very favorably with its counterpart in other kinds of civic activity. In this connection, let me cite a recent article by Joseph Shister, of Yale University, entitled "The Locus of Union Control in Collective Bargaining," the article appeared in the Quarterly Journal of Economics for August 1946. I quote:

> The ultimate control over collective bargaining in most unions does rest with the rank and file. * * * True, the full power of settlement is sometimes vested in the negotiators, but the significant point is that this power is voluntarily entrusted to the leaders by the rank and file in most instances. It is true further, that especially in national negotiations, the actual control over the bargain—in practice—rests with a small subcommittee of the negotiating group. But here again the condition has been brought about by necessary structural conditions, and was not imposed on the rank and file by leadership.

Mr. Chairman, in the President's message to Congress, on January 6, concerning labor-management problems, he stated:

> We must not, under the stress of emotion, endanger our American freedoms by taking ill-considered action which will lead to results not anticipated or desired.

In cooperation with our Chief Executive, at a time when this Nation and the world is entering a fateful hour of history, I suggest to you that our national economy and security should not be endangered by incitement towards industrial strife; industry-wide collective bargaining, and its associate objectives in protecting and preserving the legal and moral rights of the working men and women of this country, should be retained and encouraged by the Congress of these United States.

COMPULSORY ARBITRATION OF PUBLIC UTILITY DISPUTES

Mr. FOGARTY. Mr. Chairman, with respect to the public utility field, sections 203 and 204 of the proposed bill would create a method of handling labor disputes in this field which has never before been tried in this country or elsewhere. The procedure proposed in these sections is entirely new and without the benefit of any experience either in America or abroad. Without a clear and specific definition of what constitutes a public utility the act proposes for the Federal Government through its various instrumentalities, including the office of the President, to handle and adjust all labor disputes in this field. It is utterly unrealistic without any possibilities of success.

Public utilities in Americ are almost without exception regulated by local or State authorities. The very right of their existence and the scope of their operations and the price that they can charge for their services are almost wholly regulated by local or State governments. To give the Federal Government, as this new act proposes, jurisdiction of these operations will undoubtedly be a further extension of the definition of interstate commerce since the entire act is predicated upon the conduct of labor-management relations which affect commerce. This palpable encroachment upon State and local authority is a far cry from the announced position of the Republican Party of what this country needs is less government instead of more government.

Sections 203 and 204 of the proposed bill completely fail to take into account a long uphill struggle for good labor relations in the public utility field. In some branches of the public utility field, such as street railway systems, the employees have belonged to trade unions for almost half a century. Many of the agreements in this industry were negotiated almost 30 or 40 years ago and provided for voluntary arbitration of issues which could not otherwise be agreed to. Today a great many labor agreements in this industry contain a similar or identical provision. As a matter of fact, a great many employers and union leaders in the mass transportation industry have stated, with considerable pride, the fact that in their operations they have voluntarily, consistently agreed to arbitrate disputed differences rather than to resort to a stoppage of work.

Last December the United States Conciliation Service invited representatives of the gas, electric, street railway, and bus industries and the representatives of unions which most frequently have membership in these industries to voluntarily attend a conference in Washington for the purpose of exploring the possibilities of arriving at a plan or formula which could be used for the adjustment of disputes in these industries without the necessity of resorting to a stoppage of work. The conference was quite successful in that the parties all sent able representation and a full day's discussion brought further renewed hope that such a formula or plan might eventualiv be evolved. At the close of the conference it was generally understood that the parties would continue to have exploratory meetings, industry by industry, with a view that some plan might eventually crystallize which could serve as the basis for peaceful adjustment for all labor disputes in the public-utility field. It must be remembered that this entire program was initiated and carried out on a purely voluntary basis. Subsequent to the meeting of the above industries exploratory conferences were begun in the communications field. These conferences have not been exhausted and most assuredly will be renewed at the proper time. This is the American way of reaching a workable understanding upon a matter of great complexity and of wide ramifications. Any other way would seem undemocratic and unlikely to succe.d.

There has been a growing tendency during the past many months for public utility enterprises to agree to adjust their differences, including basic contract terms, through the instrumentality of voluntary arbitration. The Consolidated Edison Co. of New York and the union representing its employees, without compulsion from any source, agreed to voluntarily arbitrate disputed issues during their recent contract negotiations. A large up-State New York electric utility did the same thing. This was true in St. Louis and in the State of Mississippi, in Milwaukee, and elsewhere. Wartime controls have been relinquished and large segments of the public-utility field will gradually return to the historic method of settling their disputed issues through voluntary arbitration. A study or check of the voluntary arbitration cases each week in the public-utility field will confirm this statement to the satisfaction of the most skeptical student on the subject.

This proposed new act would seem to completely discourge this time-honored method of adjusting labor disputes in the public-utility field. The sections of this new act dealing with the public-utility field establishes new and novel procedures which are an invitation to the parties to discard the long-time and well-

established practices and turn to this nightmarish procedure which involves two branches of our Federal Government and might conceivably be interpreted to require the use of the third or legislative branch of our Government in the effort to settle one labor dispute.

It seems to me that no good can come from scrapping 40 or 50 years of experience and progress for the purpose of starting anew with something that no one knows whether or not will work. With the proper amount of education and understanding and with a continually fuller realization of the importance and nature of their work, it is quite conceivable that a democratic society with free collective bargaining will eventually show the way to uninterrupted operation of public utilities. Voluntary arbitration which is becoming increasingly popular with both management and employees—yes. Compulsory arbitration which both management and employees deplore and despise—no. The American way of life is as much a part of the public-utility field as it is of any of our other business enterprises.

Mr. PHILBIN. Mr. Chairman, I think that most Members of Congress recognize the need for eliminating the abuses and excesses that have crept into labor-management relations. These matters are closely bound up with and vitally affect the national economy and the public interest. They are complex, far-reaching, and their solution is fraught with gravest consequences, depending upon whether proposed remedies are sound and well-considered or, on the other hand, prejudicial and ill-advised.

While I appreciate the seriousness and gravity of the problems presented and the difficulties confronting the committee in connection with the formulation of this bill, I must disapprove the final form of the measure. In the first place, I believe that longer and more careful study should have been given to the many questions of greatest moment to our economy which are presented by this measure.

Equalization of the bargaining position of labor and management and not the shifting of the incidences of power from one side to the other should be a primary aim of this bill. Great damage and mischief may be done by the enactment of laws in this field which are complicated, undigested in form, and too broad in general outline. The unfortunate impression has arisen that the measure aims not so much at the elimination of abuses and excesses as it aims at the punishment, crippling, or liquidation of labor organizations. In this strange mixture of prohibitions, strait-jacket provisions, repeal of basic labor rights, little, if any, concern is directed to the possible effects upon the national economy, to the danger of even more extensive regimentation over the affairs of our people and our businessmen. It is idle to believe that the great labor classes of the Nation can be herded and regimented by the same bureaucratic techniques which we have been seeking to escape without inviting the regimentation of other groups, including business, large and small, and including the farmer as well. We have had enough regimentation. What we need now is liberation from dictatorial government.

It is appropriate, in my opinion, for the Congress to recognize and bar unfair labor practices on the part of unions as well as employers. It might be appropriate and timely to democratize labor organizations, to correct the evils of coercive picketing, jurisdictional and sympathetic strikes, secondary boycotts, and strikes that affect great public-service corporations, and thereby imperil the national interest. But there are sound constitutional ways and repressive and unconstitutional ways to achieve these results. We can, if we will, carefully redress valid grievances, check well-known abuses, and preserve the delicate but necessary balance between labor and industry without imposing unreasonable and discriminatory and punitive restraints on organized labor and the toiling masses of American working people.

This type of legislation, especially, should not be enacted in haste or at a time or in a spirit of hysteria. Retribution against the misdeeds of the few should not be visited upon the many. While the bill will undoubtedly pass this House, it will never become law in its present form, thanks to the wise safeguards of our constitutional system of checks and balances which will insure corrective changes before this or any similar measure can become law.

I am opposed in general to the use of compulsion in securing social and economic ends, because this theory is undemocratic, totalitarian, and can lead only to the break-down of democracy, the overthrow of the profit system, and ultimate dictatorship. It will engender suspicions and animosities, ill-will, and bitterness between the very groups of our American productive system which should and must zealously cooperate in hard zealous work if we are to enhance production, restore balance to our economy, achieve prosperity for industry, and provide employment for our citizens.

The use of judicial injunction to settle labor disputes provided by this measure belongs to the past age. It is a step backward in industrial relations. It will rekindle the fierce social strife that characterized the days of the infamous "yellow dog" contracts. It will break the faith of working people everywhere in the fairness and impartiality of the Federal Government as an arbiter of their differences with management.

The clauses of the bill to democratize unions are crude, unwieldy, and unworkable. The abandonment of the Conciliation Service of the Department of Labor discards the one great agency in the Government which possesses at once the experience, machinery, personnel, and aptitude to cope with labor troubles. The bill is so complex and contains so many disconnected, unrelated provisions that it defies clear legal analysis, and is utterly meaningless to the average American who has little, if any, comprehension of the broad sweep and serious implications of the measure.

If, instead of merging so many insoluble ideas into a bewildering fabric of inconsistency, repression, and retaliation that is bound to result in severe and sustained repercussions in time upon the whole economic system, the committee had taken sufficient time to study and consider these matters, and had reported separate bills, or even a well-coordinated bill protecting collective bargaining, equalizing labor-management bargaining rights, by amending the Wagner Act, consolidating and extending the powers of the Conciliation Service, and protecting the country against the interruption or stoppage of our great public service instrumentalities, the public would have more settled assurances that this measure was honestly and impartially directed toward labor peace rather than provocative of labor disputes, labor warfare, and ultimate regimentation of our economy.

This is a time for unifying the forces of democracy, for mobilizing all component parts of our social organism in order to tackle and solve the great problems confronting us. We can never achieve this unity and effect this mobilization so long as labor groups and laboring men believe that their Government is scuttling collective bargaining, their organizations, and their basic protective rights.

Mrs. NORTON. Mr. Chairman, if there is any further need to unmask the intent of the sponsors of this bill to render collective bargaining through legitimate labor organizations a mere sham, it is successfully dispelled by the provision under consideration.

Under section 8 (a) (2) and considered in conjunction with section 2 (5) and 8 (d) (3), there can be no lingering doubt that the sponsors of this measure are determined to return the labor movement and with it collective bargaining to a condition of servitude.

Consider a moment what the sections I have referred to will accomplish. Under the sections I have mentioned it will become permissible for the employer "by reward, favor, or other thing of value" to revive long outlawed company unions for the purpose of bucking legtimate efforts of employees to organize of their own choosing.

The precise and clear language of the present act prohibiting the employer from creating and maintaining company unions and the abundant Board and court precedents giving vitality to this guarantee gives way to a confusing definition that will permit numerous forms of employer domination of such organizations.

The bill states that it shall not be an unfair labor practice for an employer to form or maintain a committee of employees and to discuss with it matters of mutual interest, including grievances, wages, hours of employment, and other working conditions, unless the Board has certified, or the employer, in his magnanimity, has recognized a representative.

Since such an employer-sponsored "committee" will, under the bill, be defined as a labor organization, the proposal represents the boldest invitation to company-union activity imaginable.

Under such provisions of law, the employer will be sitting on both sides of the bargaining table. In effect, he will be talking to himself, and that is exactly what the sponsors of this measure desire.

What an empty promise to the workingman of America. What a shameful invasion of his natural right. If we in this Congress approve of such provisions, I say to you, in good conscience, we shall commit a moral wrong and shall one day pay dearly for our ill-considered action.

Is not the American worker entitled to more consideration from the Congress? Is the American worker always to expect that class legislation and special interests control the legislative body? I say to you again there is no surer way of dividing America into warring camps than to deprive the American workers of the only avenue available to protect his God-given right to a family living wage. I say to you, in all seriousness, it is on such proposals as this that the festering sore of communism will spread.

How in good conscience can we hold forth to American labor the right to organize and to bargain collectively and in the same proposal permit this right to be trampled at will? The bill, by permitting the employer openly to foster, finance, and control a bargaining committee of his employees, will turn back the clock to days that had best be forgotten. What chance will an employee have to serve his own interests in bettering his working condition, if we permit the employer to create and control his labor organization?

Oh, the proponents of the measure glibly argue that such will not happen and that such is not their intent, but these arguments only serve to emphasize their incompetence. They are unaware of the history of employer interference. How can they understand what their measure will do? I say to you, in all earnestness, these provisions are designed to destroy legitimate trade-unionism and, for the good of America, must be rejected. One of the surest ways of destroying democracy is first to destroy labor. One of the sure ways to destroy labor is to so weaken it that its unions become impotent. And the surest way to render its unions weak and servile is to turn them over to the employer. You are treating with American democracy in this measure and particularly in these provisions.

I say to you, meet your obligation in a forthright manner. Reject this opening wedge on the liberties that we hold dear.

Mrs. DOUGLAS. Mr. Chairman, under leave to revise and extend my remarks in the RECORD, I include the following:

H. R. 3020, if it becomes law, will change the American way of life. And if it remains the law of the land, America will never be the same again.

I cannot believe that the Supreme Court would uphold such a law. The Supreme Court said in *National Labor Relations Board* v. *Jones & Laughlin Steel Corp.* (301 U. S. 1, 33):

> Long ago we stated * * * that a single employee was helpless in dealing with an employer; that he was dependent ordinarily on his daily wage for the maintenance of himself and family; that if the employer refused to pay him the wages that he thought fair, he was nevertheless unable to leave the employ and resist arbitrary and unfair treatment; that union was essential to give laborers opportunity to deal on an equality with their employer.

And in Supreme Court decision, page 338, *J. I. Case Co.* v. *National Labor Relations Board* (321 U. S. 332):

> The very purpose of providing by statute for the collective agreement is to supersede the terms of separate agreements of employees with terms which reflect the strength and bargaining power and serve the welfare of the group.

No, Mr. Chairman; I do not believe the Supreme Court would uphold H. R. 3020.

But we must remember how long it was between the time when the Wagner Act was passed and the date when the Supreme Court declared it constitutional. It was during this period that the great strikes in the so-called Little Steel industry and many other bitter and often bloody industrial battles were waged against labor which was trying to enforce demands on employers who defied the law and the Government.

If this law were to be upon the statute books, either organized labor in this country would voluntarily agree to dissolve and leave the individual worker to bargain for himself, or the unions of this country would be forced to accept the responsibility for insurrection against the law of the land.

There is hardly a practice which has been accepted in labor-management relations for 50 years which could not be declared illegal under this law. Industrial democracy would be at an end.

These statements, I am assured, are not exaggerations.

I am sure that other Members of this body are as bewildered as I am that our colleagues who signed the majority report could associate themselves with such proposals.

I like to think, although perhaps this is not charitable either, that they do not understand what they are doing. I feel the time has come for understanding upon the part of the American people of what is about to be done to them; for an understanding by us of what it is proposed we shall do.

I find no difficulty in predicting that if this bill is passed and once the American people—whether they are members of organized labor or not—understand what we have done to them, the time will come that this will be remembered as one of the blackest days in the history of our Republic. It will be so considered because our generation and the generations to come will say that in the Eightieth Congress of the United States, stupidity triumphed.

I do not need to refer to my mail, although I hear this from my constituents every day, to discover that the American people are disturbed. They are disturbed every time they go to the grocery store; every time they read a newspaper; every time they turn on the radio; and increasingly as they hear sermons in church on Sunday. They are disturbed because they fear that something menacing and obscure is happening in this country; some seemingly deliberate fostering of dissension; some calculated creation of disunity.

For the Congress of the United States to pass such a bill as this is bound to confirm their worst fears and to reexcite their greatest anxieties.

These average people feel themselves caught up in the grip of circumstances over which they have all too little control.

I know this because I talk to them. I talk to them in my district, and I talk to them in many other parts of the country, and they write to me; these anxieties are particularly deep among the women of America. I think some of us forget that for many millions of women of America, this war was not a great adventure but a great trial. They hoped and believed that when their men came home, it would be the beginning of a new day for America. Now they are forced to the conclusion that these hopes were without reasonable foundation—at least today—at least for the time being. And there is a profound reason why they are dismayed and disturbed.

Many people learned during the war, for the first time, how great is American productive capacity. They learned that it was possible for this country alone to produce the abundance of guns and tanks and planes for ourselves and our allies to win the war and at the same time to raise the family incomes for many millions of American families.

They cannot understand why we cannot do as well or better in peacetime, and yet they know from the newspapers that the hectic boom of our postwar period is coming to an end. They fear this end is near and may be most sudden and severe.

They know that during the war 200 of our largest corporations consistently had 70 percent of all war contracts by dollar volume. They know the great majority of these corporations have earned far higher profits after the war than during the war.

They know that American industry is earning in the first quarter of 1947 nearly 4½ times the average peacetime profits for the years 1936–39. They know that their family incomes have been falling slowly but steadily since VJ-day and that their dollars have been buying less and less, so that in terms of real income they are far worse off than during the war.

Today we are legislating in haste; I predict that many of us will have ample opportunity to repent at leisure later—after 1948.

The passage of this omnibus bill will be a triumph for a suicidal antilabor, union-busting propaganda campaign that started right after VJ-day. It has gained strength and momentum with each victory it has won.

The content of this bill, and the manner in which it was assembled and presented to the House, are of a piece with the indirect and probably unconstitutional butchery of Labor Department functions and personnel in the recent Labor Department appropriations bill, H. R. 2700.

Put that bill and this bill together and they spell hell—literal industrial hell for American employers, workers, and consumers.

Both bills, to my mind, are part of a pattern and a plan, a pattern for industrial anarchy, to be followed by a step-by-step substitution of the power of the State for free collective bargaining, a plan for the rapid weakening and destruction of free trade-unions.

The Labor Department is to be weakened to the point of destruction by a 43-percent cut in its budget; unions are to be destroyed by a long list of prohibitions.

Our Nation is to be Balkan-ized, economically and politically, so far as workers are concerned, but not as far as our vast interlocking corporate employers are concerned. Labor is to be robbed of both the power to protect itself in bargaining with management and the protection of the Federal Government in minimum wages, maximum hours, and the operation of a truly national labor market. It all adds up to a program for again making labor a commodity and an article of commerce, to be purchased at the buyer's price on thousands of local, isolated labor markets.

While this bill proposes in effect to repeal the National Labor Relations Act, H. R. 2700 would wreck the Conciliation Service, thereby depriving employees and employers of that service.

H. R. 2700 would cut the Bureau of Labor Statistics budget by 60 percent, thereby shutting down the collection, frequent assembly and publication of up-to-date statistics necessary in reasonable negotiation of collective bargaining agreement. And, to make sure that workers already weakened and made defenseless by this proposed bill could not efficiently seek employment elsewhere, H. R. 2700 cuts the United States Employment Service fund by 77 percent.

Mr. Chairman, by passage of this bill, the House is attempting to pin the blame for our industrial relations troubles, for the soaring cost of living which I discussed on this floor on March 13, and for the bust that is coming, on labor, rather than on management and on Congress itself, where it belongs. This House is being stampeded into making the victim the culprit.

The principal culprit is not the American wagearner, nor the union member, nor his elected officials. The main culprits are those in management—not all employers, mind you—and the Members in Congress who forced through a phony OPA bill which could not and was not intended to hold prices.

Concurrently, a coalition of profiteers refused to agree to wage increases that would have sustained purchasing power and markets on a stable, healthy basis. Their sit-down strikes against the workers and the national interest were largely financed out of the Federal Treasury through the carry-back and carry-forward provisions of the tax act "for the relief of the greedy, not the needy," and by premature repeal of the excess-profits tax.

Such wage increases as were granted were only about half enough to do the job that had to be done if we were to convert from a war to a stable peacetime economy of full production, consumption, and employment, year in and year out. Those wage increases that were granted were more than eaten up by spiraling price increases that now frighten retailers and a growing number of employers.

Let us see what happened in 1946, the first full year after peace broke out. The facts are presented in the April 14 issue of the Progressive as obtained from the Departments of Commerce and Labor and the Securities and Exchange Commission. They show—

Corporation profits up 34 percent, $12,000,000,000 after taxes, an all-time high; now running at the rate of $15,000,000,000 a year after taxes.

Prices to consumers increased 19 percent; they have risen more in 1947.

Wages increased only 14 percent, and in some fields less or not at all. Peacetime jobs, no overtime, and downgrading cut take-home pay and purchasing power.

Savings of individuals dropped to the lowest level since 1941 and to half the amount saved in 1945.

To this I would add the significant fact that installment selling is rapidly increasing consumer debt, eating into tomorrow's purchasing power and markets.

These hard facts, Mr. Chairman, and not the conduct of unions or of collective bargaining by union officials, are the cause of industrial troubles and our guilty fear of the future.

Why this ferocious attempt to break American trade unionism? Why do any American employers consent to a course of action which first starves and finally liquidates their own customers as depression and unemployment follow the collapse of the present boom?

Mr. Chairman, I suggest that we may find the answer in a remarkable statement made by Mr. C. E. Wilson, president of the General Motors Corp., shortly before the beginning of the costly General Motors strike, November 1945. Mr. Wilson proposed a 45–48 hour week. He argued that American workers would have to work longer hours without higher wages in order to supply the world market.

Mr. Wilson said in his October 19 press conference:

> Until the aftermath of this war is over, we ought to go back to about a 45- or 48-hour workweek. That is what the rest of the world is going to do. That is the only way that we will produce the volume of materials and goods at a sufficiently low price to satisfy the people of our country. I doubt, personally, if that is going to happen. In my own memory, I remember the 60-hour workweek, 40 or 50 years ago. When I first ran a plant, it was 50 hours. (P. 21, press conference transcript.)

Bear in mind that it was this C. E. Wilson who 6 weeks later met with the heads of leading corporations in steel, electrical goods, and meat packing to discuss their labor problems because, in his words, "we were all looking down the same gun." And bear in mind that it was General Motors who held out against the union and the Federal fact-finding board's recommendations until, in March, higher car prices were granted, just as an unjustified price increase for steel had been granted.

General Motors is against industry-wide bargaining. It is against corporation-wide bargaining. It is on record as favoring plant-by-plant bargaining, of making big unions into little plant unions. General Motors, I am sure, is in favor of this bill we have under consideration now, H. R. 3020.

Mr. Chairman, a coalition of short-run profiteers and long-run economic imperialists who look upon the world as their oyster—provided American workers can be made to behave—are about to succeed in their postwar plan to pin the blame on labor for their own outrageous exploitations of the American people's postwar need and demand for goods. I hope the President vetoes this bill. Should it be passed over his veto—and I do not believe it will be—we again will be sowing the wind for a political whirlwind in 1948, or 1950, or 1952. The longer it is in coming, the greater its force.

When the storm breaks, first in our economy and then in politics, when there is more time and inclination to trace the steps by which we—and I include the Congress—threw away our chance to make the change-over from stable all-out production for war to stable all-out production for peace, I believe the American people will finally put the blame where it belongs.

They will put it on the profiteers and the economic imperialists in industry who fought labor and brought on inflation and collapse. They will put blame on those in this Congress who, however conscientiously, voted for this bill. And they will not discriminate too carefully between those who did it with reservations and those who did it with a whoop and a holler. This is not an attempt to threaten; it is a statement of belief, of profound faith in the intelligence of the American people.

Labor was not strong enough to bargain effectively for the whole increase in hourly rates justified by markets, production costs and existing prices, rates required to maintain take-home pay and purchasing power. Labor was not strong enough to block unjustified price increases, before and after June 30, 1946, which more than canceled out such wage increases as were won.

Labor is not strong enough to prevent passage of this bill.

I am asked why labor has not proposed some so-called labor legislation to cure obvious injustices in affairs within, between, and among unions. Mr. Speaker, as I sense the temper of the majority in the House, I think I know the main reason. It is because labor feared, and with good reason, that such proposals as it might make would supply the take-off for such a vendetta against all labor as is proposed in this bill.

Yes; labor is too weak to resist and beat this bill. It will be passed by this body, which is trying to pin labor's shoulders to the mat. Labor's enemies will win this round.

The next round will be after the American people have learned what the GOP "Bill of Rights and Magna Carta" for labor actually contain.

Mr. CASE of South Dakota. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the people of America are disturbed and they have been disturbed. They were disturbed when the coal strike came a year ago. They were disturbed when the coal strike came again last fall. They are disturbed today when we have the national telephone strike. They are disturbed, may I say in response to the gentlewoman from California, because they have thought we

delayed in passing legislation at this session to deal with such situations.

This part of the bill with which we are dealing now goes to answer the one question most generally asked by the people of the country about labor legislation. That question is this: What are you going to do when you have tried mediation, when you have tried collective bargaining, when you have tried conciliation, when you have tried voluntary arbitration, when you have tried to get the parties to a dispute together and you are confronted by a strike imperiling the national welfare? The question that this Congress is called upon to answer, if it answers any question at all in the field of labor relations, is what you are going to do with a strike affecting the public welfare, public health, or public safety when you have tried all of these devices and they have not achieved settlement.

Every effort is made in this bill to avoid interfering with the right to strike for lawful and proper objectives. The right to strike, the right to quit work in concert, is a normal accompaniment of the right to bargain collectively. But a distinction must be made, Mr. Chairman, between the right to quit work individually and the right to quit work in concert. The right of an individual to work or not to work is a natural right and a right protected by the Constitution. The right to strike, however, is not a natural right. And, if I may paraphrase, there is no right anywhere, anytime, for any group to act in concert against the public welfare, not even in the name of good intentions by a labor organization.

Without the language provided in this bill in sections 203 and 204, there will remain a question as to whether the Government can grant an injunction in a labor dispute, even where public welfare is involved. In the case of United States against Hutcheson, the Supreme Court, with Justice Frankfurter speaking the majority opinion, said:

> So long as a union acts in self-interest, * * * the licit and the illicit under section 20 are not to be distinguished by any judgment regarding the wisdom or unwisdom, the rightness or wrongness, the selfishness or the unselfishness of the end of which the particular union activities are the means.

He was referring to action under the Clayton antitrust law which would be forbidden, in his judgment, because of the declaration of policy in the Norris-LaGuardia Act. In the John L. Lewis case, recently, the Court upheld by a 5-to-4 decision the right of the Government to get an injunction where the Government was the employer through having seized the industry. What would be the situation without seizure, no one knows.

Mr. KENNEDY. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. No. Until I have completed the main part of my statement I cannot yield; I am sorry.

When the President vetoed the bill which we presented to him from the Congress last year, in the section of his message pertaining to the proposal to modify the Norris-LaGuardia Act, he said:

> Injunctions requested by the Government itself and designed to restrain strikes against the Government in cases where refusal to work for the Government have produced a condition of national emergency are to my mind an essential element of governmental authority.

So the President in his veto message last year recognized that if there is a strike against what he called the Government itself, and the Government asked for the right of injunction, then it was something which should be granted as an essential element of sovereignty. That was the procedure he followed in the most recent coal strike. He asked for an injunction against John L. Lewis. That, however, was preceded by Government seizure, and you had the Government attorneys contending that this was a strike of Government employees, so to speak, and in that case an even stronger case of a strike against Government.

The language which the gentleman from Michigan proposes to strike from the bill would leave the bill standing with a naked right to ask injunction without any specific proposal to take the place of Government seizure upon which the injunction in the coal strike rested. With the expiration of the seizure provisions of the Smith-Connally Act, the Government today is powerless to ask for an injunction unless it is rested upon the precarious position of the 5-to-4 holding of the Court that the Government was not bound by the Norris-LaGuardia Act in the coal case.

So this portion of the bill with which we are dealing now does properly set aside the Norris-LaGuardia Act where the Government is the party asking for the right of injunction in the person of the Attorney General. But to bolster that and to say that we are not merely saying we are going to enjoin a strike in the name of Government and maintain certain services by injunction, the committee, rightly in my judgment, proposed the additional procedure contained in section 204, to give some guaranty that an effort would be made to settle the grievances involved in the dispute.

If you strike these provisions from the bill you have nothing left but a naked injunction. You create power to force the hand of labor; you do nothing to create a desire on the part of management to settle issues. In fact, you invite management to stand pat.

Mr. Chairman, what we want is industrial peace with justice. We do not want either side, management or labor, to avoid its responsibility to reach an agreement with justice. So in dealing with public-welfare strikes, if you are not going to have Government seizure, if you are not going to have some other method of trying to establish justice for the issues involved, then you should at least keep in the bill the language that is contained in section 204 as proposed by the Committee. That is why I hope the amendment offered by the gentleman from Michigan will be voted down.

Mr. O'TOOLE. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I cannot yield; I am sorry. My time is limited.

One of the three amendments the gentleman proposed should have been considered separately. I think it was a mistake, for this reason, to have agreed to consider them en bloc but, unfortunately, consent was granted before the amendments were read. The amendment to which I now refer proposes to strike out section 205.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. CASE of South Dakota. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. Section 205 exempts persons subject to the Railway Labor Act from the provisions of this portion of the bill. The gentleman from Michigan in his third amendment proposed to strike out section 205. I merely wish to call attention to the fact that with section 205 remaining in the bill you do not have an answer to that final $64 question of what you will do if the National Railway Labor Act breaks down in an end dispute again.

Perhaps it is anticipated that the President will be permitted to come up again and ask us for a draft of labor, but, personally, I think we should find an answer to the $64 question which would be applicable to all labor disputes of whatever character when the regular procedures break down.

That I sought to do in the comprehensive bill, H. R. 725, which I introduced at the opening of this Congress, and more recently in H. R. 2900, which deals with this problem of public-welfare disputes alone. I recognize, of course, that the House is not going to add to the bill in any major particular at this time, but I mention this point in passing and call attention to these bills for the reference of those who may go into the matter further, or for possible consideration when this bill goes to conference.

Mr. Chairman, I trust the Committee of the Whole will reject the amendments offered by the gentleman from Michigan, which are to be voted upon en bloc.

Mr. LESINSKI. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, having under discussion title II, starting on page 54 of the bill, I want to call the attention of the Members to page 96 of the minority report reading as follows:

> Title II of the bill would wipe out the existing Conciliation Service in the Department of Labor and create an independent agency of the Federal Government to be called the Office of Conciliation, headed by a Director of Conciliation. All of the functions of the Secretary of Labor and the United States Conciliation Service as provided for under the enabling act of 1913, establishing the Department of Labor, are transferred to the new Office of Conciliation. Aside from the emergency procedures relating to public utilities, the new Office of Conciliation would have no new or additional powers. There would seem to be no reason whatsoever for going through the hocus-pocus of creating a new agency independent of the Secretary of Labor.

On the middle of the next page you will find the following:

The proposed bill is certainly not based upon any evidence presented at the hearings before this committee. There has been no public clamor for an independent agency. On the contrary, the record of the hearings shows that representatives of organized management and labor oppose the separation of the conciliation facilities from the Department of Labor. The National Association of Manufacturers, the American Federation of Labor, the Congress of Industrial Organizations, the International Association of Machinists, and the National Federation of Telephone Workers are all on record as favoring the retention of the present Conciliation Service in the Department of Labor.

So, Mr. Chairman, I again say this is nothing but window dressing in the bill.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. KLEIN. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, the Hartley bill, H. R. 3020, proposes to establish an independent Office of Conciliation to handle labor disputes in industries affecting commerce. The present conciliation functions of the Secretary of Labor would be transferred to that Office.

The creation of an independent Conciliation Office would not, in my opinion, be as effective as the present Conciliation Service of the Labor Department. I say this because the Hartley bill makes no provision for participation by management and labor in the operation of the conciliation program. The Labor Department Conciliation Service has become increasingly effective in the last year because it has operated with the advice and counsel of an Advisory Committee of outstanding management and labor representatives.

The Labor-Management Advisory Committee for the Conciliation Service was created pursuant to the unanimous recommendation of the President's labor-management conference, held in November 1945. This was one of the outstanding accomplishments of that conference. The committee members were selected from nominations submitted by the United States Chamber of Commerce, the National Association of Manufacturers, the American Federation of Labor, and the Congress of Industrial Organizations.

The Advisory Committee is responsible for making recommendations to the Secretary of Labor or to the Director of the Conciliation Service with respect to the policy, procedures, organization, and development of adequate standards and qualifications for the personnel of the Conciliation Service.

The Advisory Committee is not a perfunctory group. On the contrary, for the past year it has met on an average of every 6 weeks and has actively and intelligently performed its advisory responsibilities. Material improvement has been made in the policies and operations of the Labor Department Conciliation Service during this period. Every substantial change made was upon the advice of these representatives of management and labor, or with their approval after serious consideration.

Among the substantial changes made in the present Conciliation Service in the past year are:

First. The mediation efforts of the Conciliation Service have been supplemented by the development of four major mediation techniques for special types of cases. These techniques are the use of special conciliators, tri-partite mediation, more extensive use of voluntary arbitration, and the appointment of emergency boards of inquiry.

Second. The arbitration policy has been changed so that now the parties to a dispute have a responsibility in the selection of arbitrators, and in the payment of reasonable arbitration fees, except in hardship cases. A panel list of outstanding, impartial men has been selected by Regional Labor-Management Advisory Committees from which arbitrators are designated.

Third. The field organization of the Service has been revised to provide more efficient operation and supervision of the field staff of conciliators. A policy of closer cooperation with State mediation agencies has also been adopted.

Fourth. A comprehensive program of personnel training has been established, and detailed up-to-date information on current labor law and industrial relations practices is furnished regularly to the conciliators.

Fifth. The technical staff has been decentralized to the field and the Technical Division operates with the advice and counsel of the Technical Advisory Committee, selected in the same manner as the Labor-Management Advisory Committee.

These, and other changes, have made the Labor Department Conciliation Service an improved and more efficient agency. But even more important is the fact that we have a "going concern" which is steadily improving and which has for the first time the advantage of a real spirit of cooperation from the management side.

The success or failure of the conciliation efforts of any governmental agency is determined largely by the attitude of management and labor, its customers. We are now getting a favorable attitude from both management and labor toward an existing conciliation agency with a valuable experience gained by trial and error over a period of many years.

H. R. 3020 proposes, in effect, that these advantages be cast aside for a different system of conciliation. I disagree with this proposal. Gentlemen, I am of the opinion that the conciliation efforts of the Federal Government should be concentrated in the present Conciliation Service, and that this Service should remain in the Department of Labor.

Mr. CANFIELD. Mr. Chairman, I move to strike out the last six words.

Mr. Chairman, I want to see Congress legislate in the field of labor-management relations. I am firmly convinced that we must outlaw jurisdictional disputes, secondary boycotts, wildcat strikes, featherbedding, and labor racketeering. That is why I voted for the Hobbs and Lea bills in the last Congress. I believe unions should publish their financial reports and operate democratically; that foremen's unions should not be legalized; and that the National Labor Relations Board should be overhauled. I feel that the union shop is more in keeping with American principles than the closed shop, and I am opposed to picket-line violence and to picketing by persons not employed in the struck shop.

But I cannot support a bill which undermines the Norris-LaGuardia Act and permits the use of injunctions in labor disputes unless there are greater safeguards than this bill now provides against such use. The use of injunctions promotes industrial strife.

I cannot support a bill which outlaws industry-wide bargaining in competitive industries. In reaching this decision I am primarily mindful of the effect of such legislation on the industries in my district. If competing industries in other parts of the country were to pay lower wages, industries in my district would be placed in an unfair position in pricing their product. Labor would tend to migrate to areas where pay was high; industries would move to areas where labor was cheap. Regulation of industry-wide bargaining is necessary, but to ban it will not help industry, or labor, or the public.

I believe that a great majority of the people of the country favor most of the provisions of this bill. I wish that these noncontroversial items had been reported out in a separate bill, which, I believe, would receive the endorsement of responsible labor leaders as well as management. But there are a few sections of this omnibus bill which so impair union security that the bill can only increase labor unrest.

Mr. BLATNIK. Mr. Chairman, I move to strike out the last seven words.

Mr. HARTLEY. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from New Jersey.

Mr. HARTLEY. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

Mr. COMBS. Mr. Chairman, reserving the right to object, would the effect of this be to shut off any discussion on an amendment to be added at the end of the bill?

The CHAIRMAN. It would not. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BLATNIK. Mr. Chairman, I have listened with keen interest to this debate during these past 3 days on a measure which strikes at the very fundamentals of the American way of life. Throughout all of this discussion there has been running constantly in the back of my mind a picture of these good men and women — the working men and women—in my district in northeastern Minnesota. I have thought of the men and women of the CIO who produced iron ore from our large iron-ore producing district, the largest iron-ore producing district in the world. I followed the railroad men who shipped that ore from the mines down to the port, the city of

Duluth, the largest inland port in the world. I thought of the men in the AFL in the shipyards and in the many war plants during the period of the war. And, as I did, the picture came to my mind of the fantastic, the phenomenal job of production done by these people, producing the iron ore which gave us steel production, the very backbone of our whole war effort, which made it possible for this great Nation to build a Navy within a space of 3 years, from December 1941 to 1944. A naval building program, which is usually thought of in terms of 10, 15, and 20 years, was done in the phenomenal time of 3 years, and at the same time we were carrying on two different battlefronts on opposite sides of the world.

Thinking of these good people—these hard-working people who believe in work and do work for every cent they earn, these thrifty people, the very salt of the earth—and I cannot help but believe they are typical of the vast majority of the working men and women of this great Nation, good loyal Americans—I asked myself this question, which each and every one of you should ask yourselves: What have these people done to incur the abuse and vilification that has been heaped upon their heads in the past 3 days in this Hall of Congress? There have been smear terms of racketeering and profiteering, and what not, hurled at them. I will admit for the benefit of the people on the left side of the aisle that there are many abuses I would like to see corrected in this whole program of labor-management relations. I could go along with you on many of those, but I cannot go along on an atrocious bill of this nature, which, using these abuses as an excuse, is aimed toward driving a wedge deep into the hard-earned, fundamental rights of honest and deserving men and women of this country.

Let us turn this balance sheet over and look at the other side of the picture before we are too hasty in calling people names. Why, the biggest strike that was ever carried out in this country was done so by big business—the corporations who control the economic and political life of this country—just before Pearl Harbor, when they refused to produce goods unless they were guaranteed a cost-plus-fixed-fee contract. Not only the people but our Government had to accede to their demands, and the result was that we had, I think, 16,000 brand new millionaires created in time of war. Those were the days of the highest profits after taxes in the history of this country. Mr. Lindsay C. Warren, the Comptroller General of the United States, testified late in 1945 before the House Committee on Expenditures in the Executive Departments that the excess charges, due to the profiteering and racketeering, cost the Treasury of the United States approximately $50,000,000,000, an amount which was equal to the cost of the entire First World War, with all of its profiteering that took place in those days. So let us look around before we say who is racketeering or who is profiteering.

This corporate chiseling which added $50,000,000,000 to the cost of the war—$50,000,000,000 which went into the pockets of the war profiteers and which must eventually be paid by the American taxpayer—is racketeering in the fullest sense of the word.

After getting by with this $50,000,000,000 steal, some of these same corporations are now allowed to save their ill-gotten gains by means of income-tax evasion. In 1945, after learning of tremendous amounts of funds being hidden by black marketeers and war profiteers, the then Secretary of the Treasury Morgenthau asked Congress for extra funds to ferret out these chiselers. He was given the money and millions of dollars of fraudulently concealed funds were uncovered, and 2,037 cases were prepared for court action by the Justice Department. Because of lack of personnel the Justice Department is wholly incapable of pushing these prosecutions; only 146 indictments and arrests were made by this Department during the 1946 fiscal year. Thus the big business racketeers and profiteers who robbed the American people during the war are allowed to escape income-tax prosecution after the war.

These are the real racketeers, gentlemen, and not the few exceptional cases that are paraded as generally representative of the labor movement.

TAX REFUNDS

In addition to these unprecedented profits we have the Federal tax refunds to the extent of $3,119,000,000 in 1946. The Aluminum Co. of America alone obtained a tax refund of over $47,000,000 in 1946, and today General Motors has a tax credit of nearly $83,000,000.

The following figures demonstrate the extent of this tax-refund bonanza:

FEDERAL TAX REFUNDS

On March 3 Internal Revenue Bureau announced that Federal tax refunds totaling $3,119,000,000 were made during 1946 fiscal year. Total includes refunds to following industrial corporations:

Aluminum Co. of America	$47,168,578
American Rolling Mill Co	6,917,014
American Viscose Corp	6,245,643
Cramp Shipbuilding Co	9,775,762
Du Pont (E. I.) de Nemours & Co	6,279,434
General Electric Co	6,255,130
Shell Oil Co., Inc	9,378,790
Standard Oil Co. of California	5,894,481
Standard Oil Co. (Indiana)	6,767,933

Source: Moody's Industrials, semiweekly, p. 1577 (1947).

The credits for tax adjustments shown in the balance sheets for 1946 of a few corporations include the following:

Allis-Chalmers	$25,400,000
Bell & Howell	500,000
Borg Warner	294,216
Consolidated Vultee	765,105
General Electric	24,000,000
General Motors (9 months)	82,820,000
Packard Motor Car Co	5,650,000
Swift & Co	569,453
United Aircraft Products	1,822,711
Westinghouse	63,289,047

Source: Moody's Industrials, semiweekly.

Yesterday, I made the statement that the Hartley bill was nothing more than a codification of the program of the National Association of Manufacturers relating to labor legislation. To prove this assertion, I would like to present a point-by-point comparison of the legislative recommendations of the NAM approved by its board of directors on December 3, 1946, with the provisions of the Hartley bill. The similarities between the two are so glaringly obvious that there can be no doubt that the source and inspiration of this vicious antilabor bill was the National Association of Manufacturers.

NAM RECOMMENDATION NO. I

The union should be obligated by law to bargain in good faith.

Hartley bill: Section 8 (b) provides that—

It shall be an unfair labor practice for an employee or representative * * * (2) to refuse to bargain collectively with the employer.

Section 2 (11) provides an elaborate collective-bargaining procedure involving innumerable delays and which is certain to defeat genuine collective bargaining.

It is fraudulent to say that unions must be forced to bargain collectively for the simple reason that the one and only function of unions is to so bargain. The purpose of such provisions in the bill is to set up requirements to defeat collective bargaining or to allow such bargaining to take place only on the terms of management. Then if labor refuses to be governed by this procedure, the door is opened for the Government to interfere as a strike-breaking agency on the grounds that the union has failed to bargain in good faith.

NAM RECOMMENDATION NO. II

The union * * * should be obligated by law to adhere to the terms of collective bargaining agreements.

Hartley bill: Section 301 would repeal the Clayton Act regarding union liability and make them subject to treble damages under the Sherman Act. Section 302 provides that unions and their representatives shall be suable in the Federal courts, and their assets subject to confiscation.

NAM RECOMMENDATION NO. III

Monopolistic practices in restraint of trade * * * should be prohibited to labor unions. * * * It is * * * contrary to the public interest for a union or unions representing two or more employers to take joint wage action or engage in other monopolistic practices.

Hartley bill: Section 9 (f) (1) provides that the same union may not represent the employees of two competing firms, nor may any two locals be subject in any way "to common control or approval." Section 2 (16) provides that a strike resulting from concerted action of employees of two competing employers is a "monopolistic strike" which is forbidden by section 12 (a) (3) (A).

NAM RECOMMENDATION NO. IV

The protection of law should be extended to strikers only when the majority of employees in the bargaining unit, by secret ballot under impartial supervision, have voted for a strike in preference to acceptance of the latest offer of the employer.

Hartley bill: Section 204 (b) provides that after the Attorney General has secured an injunction enjoining act of union—pursuant to section 203—

The National Labor Relations Board shall provide for the taking of a secret ballot of the employees of each employer involved in

the dispute on the question of (1) whether the employees of any employer desire to accept their employer's offer of settlement then current.

If the employer's offer is rejected, the same process is repeated after a special board has rendered its opinion as to settlement.

NAM RECOMMENDATION NO. V

No strike should have the protection of the law if it involves issues which do not relate to wages, hours, or working conditions. * * * Such issues and demands are involved in jurisdictional strikes, sympathy strikes, strikes against the Government * * * strikes to enforce featherbedding or other work-restrictive demands or secondary boycotts.

Hartley bill: Section 2 (11) defines the subject matter for collective bargaining as:

Procedures and practices relating to wage rates, hours of employment, and work requirements; (ii) procedures and practices relating to discharge, suspension, lay-off, recall, seniority, and discipline, or to promotion, demotion, transfer, and assignment within the bargaining unit; (iii) conditions, procedures, and practces governing safety, sanitation, and protection of health * * * and (iv) vacations and leaves of absence.

Section 8 (b) (3) makes it an unfair labor practice to strike for any objectives not in this list, i. e., such issues relating to welfare funds, vacation funds, union hiring halls, union security provisions, apprenticeship qualifications, assignment of work, subcontracting of work, and so forth.

Section 12 (a) (3) (A), (B), and (C) prohibit jurisdictional strikes, sympathy strikes, featherbedding strikes, strikes to force recognition, illegal boycotts.

NAM RECOMMENDATION NO. VI

Mass picketing * * * coercion * * * intimidation should be prohibited.

Hartley bill: Section 12 (a) (1) outlaws mass picketing, and the preventing or "attempting to prevent any individual from entering upon an employer's premises or picketing an employer's place of business in numbers or in a manner otherwise than is reasonably required to give notice of the existence of a labor dispute."

NAM RECOMMENDATION NO. VII

Employers should not be required to bargain collectively with foremen or other representatives of management.

Hartley bill: Section 2 (11) defines supervisors to include not only foremen but pushers, gang bosses, leaders, second hands, pay-roll and plant clerks, plant guards and inspectors. A carpenter having a helper would fall within the category of a supervisor. Section 2 (3) excludes all such supervisors and representatives of management from collective bargaining.

NAM RECOMMENDATION NO. VIII

No employee should be required to join a union or to refrain from joining a union, or to maintain or withdraw his membership in a union, as a condition for employment. Compulsory union membership * * * should be prohibited by law.

Hartley bill: Section 8 (a) (3) prohibits an employer from granting a closed shop. Sections 8 (d) (4) and 9 (g) virtually prohibit any form of union shop. Section 8 (b) (3) makes a strike for union security contract illegal.

NAM RECOMMENDATION NO. IX

The full extent of Government participation in labor disputes should be to make available competent and impartial observers. Compulsory arbitration should not be adopted.

Hartley bill: There are no provisions which actually establish compulsory bargaining. However, the procedures established by the bill—section 2 (11)—make for Government interference in the collective-bargaining process far beyond the conciliation. The provision allowing court injunctions (section 203) to be used as a strike-breaking device will result in virtual compulsory arbitration since it takes away the right to strike.

This point-by-point comparison of the provisions of the Hartley bill with the legislative recommendations proves one thing—that there has been written into this vicious antilabor Hartley bill the entire program of the National Association of Manufacturers. In fact, H. R. 3020 has even gone beyond the NAM recommendations.

The CHAIRMAN. The time of the gentleman from Minnesota has expired. All time has expired.

The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was rejected.

The Clerk read as follows:

SEC. 205. Sections 203 and 204 shall not apply to any person or dispute subject to the Railway Labor Act, as amended from time to time.

Mr. ALBERT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I regret to see this bill come to a vote in its present form. Like every unbiased citizen of this country, I feel that there is a dire need for corrective labor legislation. I feel at the same time that there is no need or justification for punitive legislation. In my opinion, this bill approaches this problem in a very inconsistent manner. Section 7 of the bill frees the workingman from the control of the labor boss, and I think it does a fine thing in so doing, but the very next section strips him of his new-earned democracy and makes of it a veritable sham.

This bill approaches this problem, I take it, on the theory that if you give the workingman the right to elect his own representatives, to set up his own collective-bargaining procedure, he will set his own house in order.

The next section of the bill, however, requires the workingman to bargain only on a company level, making no similar restrictions on the employer.

In one section we throw around the shoulders of the workingman the mantle of democracy, and in the next section we place upon his brow a crown of thorns.

I think this problem should be approached in a dispassionate and American manner. I have heard much talk during the course of this debate about the city against the farm, about the industrial areas against the rural areas. I come from a district that is overwhelmingly agricultural. The farming people are tired of being the helpless victims in the fights between big business and big labor. They are tired of labor racketeering, of jurisdictional strikes, and wholesale strikes against the public interest. I do not think, however, that they want me to vote for anything that is unfair or unjust. I do not think they want me to vote for anything that goes at this problem in a manner seeking vengeance against anyone and, above all, I do not think they want me to vote for any bill which might in any manner jeopardize the economy of our country and which we cannot in good conscience defend. I think this bill will jeopardize the welfare of our country. I think it will be injurious to the employer because it opens the way to cut-throat competition between industries in the matter of both wages and prices. I cannot go along with such a measure.

We have seen this happen among small operators in the coal industry and small businesses of Oklahoma. I think we ought to approach this problem dispassionately. I think more is required than 68 more pages of legislation binding the hands of the American people. I think behind our problem of all-out production lies something much more important. I think what we need is a little more hard work, a little more mutual respect and cooperation.

I spent about 5 years in the armed forces of our country. During that time I did not hear anything about city people and country people or about laboring people and business people. With a united front and with a united America behind us, we did the biggest job in the history of our country.

Mr. Chairman, I want to see legislation that will prevent Nation-wide strikes that are injurious to the American people. I certainly favor that feature of the bill. But, members of the committee, I believe that this country needs also to return to a sense of American unity which has not been manifest in this debate. In this will we find our real salvation. We are not "capital"; we are not "labor"; we are not "agriculture"; we are not "industry." We are a united Nation. We are Americans.

Mr. BUCK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, a few minutes ago, the lady from California [Mrs. DOUGLAS] told us that America would not be the same if this bill were enacted into law. I assure the lady she is correct. If this bill is enacted into law, a California farmer can haul his cabbage and milk to market without paying tribute to a city racketeer. A school orchestra can perform over the radio without first clearing matters with Mr. Petrillo. A veteran can engage in small business without first buying permission to do so from some union boss.

I assure the lady it will be a very different America.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. JACKSON of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I too, have listened with keen and continuing interest to the debate upon this measure. The word "bewilderment" was brought into the

discussion by my distinguished colleague from California [Mrs. DOUGLAS]. I agree with her fully and completely. The American people are bewildered and confused. They have been bewildered and confused for the past 5 years at least. They have been bewildered and confused when they went to their grocery stores to buy a bottle of milk, and found a picket line around the store because the milk came from a cow that had not eaten union-handled fodder. They have been very much bewildered about that.

I have thousands of employees of the motion-picture studios in my district who are very much bewildered. They have been out on strike, forced out on strike by a jurisdictional dispute, for months and months. I can assure you that they are very much bewildered. When a mere handful of employees of concerns such as Metro-Goldwyn-Mayer and Twentieth Century-Fox can be forced out, there is ample cause for bewilderment. The American people are also bewildered when they see mass picketing, hundreds of pickets, where the law of a city or municipality or State provides for a definite number of pickets. Oh, yes. They are bewildered. There is bewilderment from one coast to the other, but the bewilderment cleared up long enough last November 5 so that there is a different division in this House today, and many of you on the Democratic side of the House who will vote for the labor bill as it has been presented are here because your constituents knew you would support the measure.

I intend to support the bill. I consider that it is a prime mandate of the people of America to produce something in the way of legislation designed to clear up this confused and desperate situation.

The CHAIRMAN. The time of the gentleman from California has expired.

The Clerk will report the committee amendment on page 62, line 12.

The Clerk read as follows:

SEC. 206. Until the transfer of functions under section 201 (e) becomes effective, the functions of the Director of Conciliation under section 204 shall be performed by the Secretary of Labor. Until the Administrator of the National Labor Relations Act first appointed qualifies and takes office, his functions under section 204 shall be performed by the National Labor Relations Board.

The committee amendment was agreed to.

Mr. GOSSETT. Mr. Chairman, I have an amendment following section 206, which I offer at this time.

The Clerk read as follows:

Amendment offered by Mr. GOSSETT:

"SEC. 207. It shall be unlawful for any employee of the United States, or any agency or instrumentality thereof, to participate in any strike, or to encourage anyone to strike. Any employee of the United States, or of any such agency or instrumentality, who strikes or participates in striking, or who encourages others to strike, shall be discharged from his employment, and shall forfeit all rights of reemployment, and shall forfeit his civil-service status, if any, and shall also forfeit all benefits and privileges which he may have acquired by virtue of his Government employment."

Mr. GOSSETT. Mr. Chairman, I want to say in the beginning that this amendment is not offered in criticism of the committee. I, for one, recognize the fact that no committee of Congress, of labor, of business, or of any character or description whatsoever could write a bill that would be pleasing to everybody in every particular or to everybody in any particular. On the whole I believe the committee has done a good job. I believe this is needed legislation long delayed.

In writing this bill, however, the committee overlooked the biggest employer in the world. The Government of the United States employs more people than any other employer. Many of them now assert the right to strike. The amendment which I offer would deny such right as a matter of law. It is substantially the same as enacted into law in the State of New York to prohibit employees of the State government from striking. We have attempted to get at this thing indirectly through riders to appropriation bills. I think we should nail it down here and say positively that employees of the Government have no right to strike. In simple terms that is all this amendment does. I urge its enactment upon the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was agreed to.

The Clerk read as follows:

TITLE III—MONOPOLISTIC PRACTICES OF LABOR ORGANIZATIONS; LIABILITY OF LABOR ORGANIZATIONS; MISCELLANEOUS PROVISIONS

MONOPOLISTIC PRACTICES

SEC. 301. (a) The second paragraph of section 20 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1944, as amended, is amended by inserting before the period at the end thereof a colon and the following: *"Provided*, That nothing in this paragraph shall be construed in any proceeding, civil or criminal, under the antitrust laws to make lawful any combination, contract, or conspiracy in restraint of trade having as its purpose one or more of the objects which are defined in section 6 as not being legitimate objects of a labor organization."

(b) Section 6 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended, is amended by inserting before the period at the end thereof a colon and the following: *"Provided, however*, That it shall not be within the legitimate objects of labor organizations or the officers, representatives, or members thereof, to make any contract, or to engage in any combination or conspiracy, in restraint of commerce, if one of the purposes or a necessary effect of such contract, combination, or conspiracy is to join or combine with any person to fix prices, allocate customers, restrict production, distribution, or competition, or impose restrictions or conditions, upon the purchase, sale, or use of any product, material, machine, or equipment, or to engage in any concerted activity declared to be unlawful under section 12 of the National Labor Relations Act, as amended."

(c) In any proceeding involving a violation of the antitrust laws, the provisions of the act of March 23, 1932, entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," shall not have any application.

EQUAL RESPONSIBILITY AND LIABILITY

SEC. 302. (a) Any action for or proceeding involving a violation of an agreement between an employer and a labor organization or other representative of employees may be brought by either party in any district court of the United States having jurisdiction of the parties, without regard to the amount in controversy, if such agreement affects commerce, or the court otherwise has jurisdiction of the cause.

(b) Any labor organization whose activities affect commerce shall be bound by the acts of its agents, and may sue or be sued as an entity and in behalf of the employees whom it represents in the courts of the United States. Any money judgment against a labor organization in a district court of the United States shall be enforceable only against the organization as an entity and against its assets, and shall not be enforceable against any individual member or his assets.

(c) For the purposes of actions and proceedings by or against labor organizations in the district courts of the United States, district courts shall be deemed to have jurisdiction of a labor organization (1) in the district in which such organization maintains its principal office, or (2) in any district in which its duly authorized officers or agents are engaged in representing or acting for employee members.

(d) The service of summons, subpena, or other legal process of any court of the United States upon an officer or agent of a labor organization, in his capacity as such, shall constitute service upon the labor organization.

(e) In actions and proceedings involving violations of agreements between an employer and a labor organization or other representative of employees, the provisions of the act of March 23, 1932, entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity and for other purposes", shall not have any application in respect of either party.

Mr. BARDEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BARDEN. Do I understand the Clerk has completed reading section 302?

The CHAIRMAN. The gentleman is correct.

Mr. BARDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from North Carolina is recognized for 5 minutes.

Mr. BARDEN. Mr. Chairman, I take this time for the purpose of asking the Chairman a question, and in asking the question I want it understood that it is intended to make a part of the record that may hereafter be referred to as history of the legislation.

It is my understanding that section 302, the section dealing with equal responsibility under collective bargaining contracts in strike actions and proceedings in district courts contemplates not only the ordinary lawsuits for damages but also such other remedial proceedings, both legal and equitable, as might be appropriate in the circumstances; in other words, proceedings could, for example, be brought by the employers, the labor organizations, or interested individual employees under the Declaratory Judgments Act in order to secure declarations from the Court of legal rights under the contract.

Mr. HARTLEY. The interpretation the gentleman has just given of that section is absolutely correct.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. CASE of South Dakota. Would the gentleman and the Chairman agree that that also includes declaratory judgments in the case of jurisdictional disputes?

Mr. BARDEN. I would so understand it.

Mr. CASE of South Dakota. I would like to have that in the record also because declaratory judgments is a proceeding which has been adopted in the case of jurisdictional disputes.

Mr. BARDEN. I think the language is clear, but I want to make it certain.

Mr. CASE of South Dakota. That is involved, and I refer to declaratory judgments. It is involved in the case of the motion-picture players of California and I think we can strengthen the hands of those who are trying to get that matter straightened out.

Mr. BARDEN. It will minimize lawsuits and cut down the length of these controversies. That is the purpose of it.

Mr. MICHENER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I am not naive enough to believe that many votes are going to be changed by the debate on this labor bill. The bill has been criticized because it does not go far enough and, on the other hand, it has been condemned because it is too restrictive. Possibly some Members are so disgusted with the action of certain labor leaders in the past that they would vote to repeal all existing legislation beneficial to organized labor. By the same token possibly some Members are so subservient to these same organized labor leaders that they would vote for or against any labor legislation pursuant to the dictates of the labor leaders.

Mr. Chairman, these two groups are extremes. I am satisfied that a vast majority of the House wants legislation designed primarily in the public interest, limiting and regulating the power of organized labor as well as organized capital. I certainly belong to this group. This labor-management controversy is not new. There was a time when organized capital ran roughshod over labor. That was wrong and not in the public interest, and the antitrust laws and other regulatory measures were enacted by the Congress restricting such conduct. At that time the corporations were the giants and we had monopoly control. Today organized labor is the giant. Indeed its power has become so great that the nod of a labor leader alone can paralyze the industry, communication, and transportation of the country. The people must not starve, freeze, and suffer because of the lack of sufficient law to protect the public interest. The time has arrived when the people demand that the Congress stop dilly-dallying and do something about the situation.

As one Member of the House, I am ready to accept that mandate and act now.

Mr. Chairman, during debate in the last Congress I said in part:

> Surely there is some authority somewhere, somehow, in the Government that is greater and more powerful than the will of any individual, whether he be the head of a labor union or a representative of management. Time for action by the Government has long since passed. If there is no remedy for present conditions then the country might as well know it. On the other hand, if the Government in Washington still lives, the people have a right to expect that it will function in such an emergency.
>
> Technicalities do not make much difference to the people who want to work and the employer who wants to turn out products. A strike is just as effective whether authorized or unauthorized.
>
> There should be no class legislation. No group or class is greater than the Government. Those receiving the protection of the law must be responsible to the law.
>
> The greatest danger to labor is the conduct of labor itself.
>
> Whether or not collective bargaining between management and labor is effective depends on the attitude of those doing the bargaining.
>
> None of the laws protecting organized labor should be repealed in toto, but these laws should be strengthened and amended to require both capital and labor to function in the public interest and not in the selfish interest of any privileged class, be it capital or labor.
>
> Organized labor apparently does not realize that it is digging its own grave; that the organized-labor movement, nurtured by Federal legislation as it has been, is committing suicide.

Mr. Chairman, those statements are just as true today as they were a year or 2 years ago today. During the last campaign I called the attention of my constituents to these statements and promised to do my part in getting remedial legislation at once. The bill now before us is my first opportunity to fulfill those promises. During this debate we have heard much loose talk as well as much prejudiced talk. This bill is not antilabor. It attacks the problem in a comprehensive way. It is not drastic, oppressive or punitive. It does not restrict or in any manner interfere with labor's right to organize and to bargain collectively when they wish to do so. It does not restrict in any way employees' rights to engage in lawful strikes. It does not take away any rights guaranteed by the existing National Labor Relations Act. It is simply antilabor monopoly. It is antiunion abuse. It gives the worker a voice and a secret ballot free of fear in the affairs of a union.

Members of the Committee on Labor and Education call this proposal the worker's bill of rights, because the bill gives to each worker:

First. The right to join with his fellow workers to select a collective-bargaining agent of their own choosing, that is to say, one that is not forced on them.

Second. The right to get a job without joining any union.

Third. The right to vote by secret ballot in a fair and free election, the votes in which are openly counted, on whether his employer and a union can make him join the union to keep his job.

Fourth. The right to require the union that is his bargaining agent to represent him without discriminating against him in any way or for any reason, even if he is not a member of the union.

Fifth. The right with his fellow employees to make demands of their own, and to bargain about them through the leaders of their own local union, without dictation by national and international officers and representatives, and without regard to the demands of other employers.

Sixth. The right to keep on working and getting his pay without sympathy strikes, jurisdictional disputes, illegal boycotts, and other disputes that do not involve him and his union or his employer.

Seventh. The right to know what he is striking about before he is called out on strike, and to vote by secret ballot in a free and fair election on whether to strike or not after he has been told what his employer has offered him.

Eighth. The right to express his opinion concerning union policies, union officers and candidates for union office, and to make and file charges against his employer, the union, or the union officers, without suffering any penalty or discrimination.

Ninth. The right to vote by secret ballot, without fear in free and fair elections on any matter of union policy—how much dues he shall pay, what assessments the union can make him pay, what the union can spend the money for.

Tenth. The right to vote by secret ballot in free and fair elections for his own choice of union officers.

Eleventh. The right to know how much money his union has, how much it pays its officers, and how much of the union's money the officers use for their expenses.

Twelfth. The right to refuse to pay the union for any kind of insurance, welfare, or relief that he does not want.

Thirteenth. The right to receive his pay in his pay envelope, without the employer and the union spending it for him, checking it off for union dues, or for other purposes.

Fourteenth. The right to stay a member of a union, without being suspended or expelled, except for, first, not paying dues; second, disclosing confidential information of the union; third, violating the union's contract; fourth, being a Communist or fellow traveler; fifth, being convicted of a felony; sixth, engaging in disreputable conduct that reflects on the union.

Fifteenth. The right to be free of threats to his family for doing things in connection with union matters that an employer or a union does not like.

Sixteenth. The right to settle his own grievances with his employer.

Seventeenth. The right without fear of reprisal to support any candidate for public office that he chooses and to decide for himself whether or not his money will be spent for political purposes.

Eighteenth. The right to go to and from his work without being threatened or molested.

Nineteenth. The right to a union free of Communist domination and control,

and one that is devoted to honest trade-unionism and not class warfare and turmoil.

Twentieth. Every right to strike for any legitimate object that he has had under our laws for the last hundred years.

Twenty-first. And, finally, the right to have a fair hearing, before an impartial board, without cost to himself, whenever he believes that any employer or any union is depriving him of these rights.

Now, Mr. Chairman, what is wrong with those 21 points? Is one of them antilabor? Of course not—and when the rank and file of organized labor is advised, it will approve.

If all these rights are guaranteed to the individual worker, it necessarily follows that there must be some guaranty to management. This bill bans the closed shop. Under carefully drawn regulations it permits an employer and a union voluntarily to enter into an agreement requiring employees to become and remain members of the union a month or more after the employer hires them or after the agreement is signed. Such agreements are lawful, however, only if the employees by secret ballot have selected the union as their bargaining agent, and if a majority of all the employees, by a separate secret ballot, authorizes the union to enter into the agreement, and if the agreement is not prohibited by State law. An employee may be expelled from the union and thus forced to leave his job only if the expulsion is by reason of his failing to pay fees and dues imposed upon employees generally. Under this clause, employers may select their own employees. Employees have 30 days to decide whether or not to join the union. Unions may not cause the discharge of employees by discriminating against them. The agreement must be voluntary. Unions may not strike to compel employers to enter into such agreements. They are subject to loss of bargaining rights if they do so.

The mutual rights of worker and employer are safeguarded further by abolishing the old prejudiced National Labor Relations Board, by setting up a new Board, and by creating the independent office of Administrator who investigates and prosecutes, but who does not judge. In short, the present Board is prosecutor, jury, and judge. This is fundamentally wrong in any case.

This bill forbids the Board to regard as employees foremen and other representatives of management who act for employers in their dealings with employees and their unions. Management must have ir the plants, agents who are entirely loyal, just as representatives of the union and representatives of the workers must be undivided in their loyalty to the workers.

Free speech in a democracy cannot be granted to one and denied to another without placing in jeopardy the rights of both. This bill treats the employer and the employee alike in this respect.

Equal responsibility before the law is assured for both worker and employer. This bill gives the President the authority to seek injunctions against strikes that imperil the public health and safety and authorizes courts to issue injunctions in such cases, and to this extent the Norris-LaGuardia Act is clarified.

This new national labor policy is designed to assure the observance of constitutional principles in all labor-management relations.

Mr. Chairman, some labor leaders are opposed to any legislation whatever, the purpose of which is to change present practices on the part of certain organized labor groups, as well as rulings and regulations of the present Board. They threaten political action. They demand obedience by Members of Congress. They are adamant and cannot be placated. As against this group stands the great mass of the people who want action now. Political cowardice has no place here. Let us vote our convictions without fear or favor. In conclusion we must not forget that the public interest is the paramount interest, and all legislation should be drafted with that thought in mind. No, this bill does not please all segments of organized labor or all groups representing management, but on the whole it is the nearest effective compromise that has any possibility of becoming law in the immediate future. I shall support the bill and hope that it will not be sterilized on its journey to the statute books.

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, section 301 of the Labor-Management Relations Act, 1947, read together with sections 2 and 12 of the proposed new National Labor Relations Act, for all practical purposes repeals the labor-protecting provisions of the Clayton Act, the Norris-LaGuardia Act, and all the other labor relations laws, statutory or judicial, laboriously built up over the past 30 years to protect the wage earners of this country. It returns the working men and women of this country to that precarious and inequitable position under the laws of the land which they occupied prior to 1914. The necessary results of the proposed legislation are so obvious that they must be intended. Thus, this fearful, backward step into the Dark Ages of labor-management relations is proposed as deliberate and considered national labor policy. This legislation is vicious, punitive, ill-considered, unnecessary, unwise, and impractical. It would, if enacted, lead to the most severe industrial strife and turmoil this country has ever seen, and would wreck our prosperity and even our democratic way of life.

We all recall with deep emotion the noble language of the Clayton Act which states that "The labor of a human being is not a commodity or article of commerce." Although section 301 of this bill does not delete this language, it renders it a painful and hollow mockery by selling labor down the river. For the proposed legislation rests on the basic assumption that labor partakes so little of the nature of human beings and so much of a commodity, as to possess not even constitutional guarantees, much less the right to fair and equitable treatment, or equal justice under the law.

The proposed legislation sweeps aside the expensively and painfully gained experience embodied in the history of labor-management relations in this country. The entire unfortunate history of attempted past application of the injunction and the antitrust laws to maintain stable labor-management relations or to police union activities is either recklessly disregarded by the sponsors of this legislation or unknown to them. The avowed purpose of this legislation is to minimize labor controversies which through strikes or work stoppages impede the operation of our economic system, and to attempt by legislation to abolish such practices as, in the opinion of the Congress, amount to abuses. This legislation proceeds on the premise that labor alone is responsible for the evils sought to be corrected. A mere look at the history of labor relations in this country clearly negatives such an assumption. The long history of abuses on the part of management, and its successful invocation of the judiciary for their perpetuation in the past, is responsible not only for the National Labor Relations Act, virtually destroyed by this legislation, but also for sections 6 and 20 of the Clayton Act and the Norris-LaGuardia Act. The vice of the proposed legislation is not only that it returns the working men and women of this country to the jungle period during which only by sustained courage, sacrifice, and perseverance they succeeded in alleviating the inequities of their treatment as a commodity, but that it leaves employers and management better equipped than even in those early days to keep our wage earners at such lowly estate by depriving them of the lawful means for self-protection, preservation, and advancement.

Section 301 of title III not only subjects the working people of this country and their unions again to criminal prosecution and treble-damage suits under the antitrust laws if they engage in unjustified secondary boycotts or jurisdictional strikes but practically prevents them from taking any concerted action to protect their wage rates, working conditions, and living standards. Insofar as section 301 makes it a violation of the antitrust laws for labor to combine with nonlabor groups to fix prices, restrict production, or to control markets, it is completely unnecessary, since such is the law of the land today. The Supreme Court has repeatedly held that the antitrust laws apply to unlawful restraints imposed on commerce by such combinations. Section 6 of the Clayton Act does not exempt a labor organization, or its members, from liability where they depart from the normal or legitimate objects of such organizations and engage in actual combinations or conspiracies in unlawful restraint of trade.

But section 301 of title III, when read together with sections 2 and 12 of the proposed new National Labor Relations Act, goes far beyond this. Those provisions would prohibit almost every type of strike, picketing, or boycott, including those conceded by all to be legitimate in purpose. Thus, for example, a strike by a union to gain recognition and better conditions for its members only would be prohibited if the union did not represent a majority of the employees, even though there were no other union in the plant. A strike against a "speed-up," or

to help fellow-employees eliminate "sweat shop" conditions in another department would likewise be prohibited. So also would boycotts of nonunion products made under sweat-shop conditions. And peaceful picketing could also be prohibited if a court thought it was done in an unreasonable manner or with an unreasonable number of pickets.

The prohibition on "picketing an employer's place of business in numbers, or in a manner otherwise than is reasonably required to give notice of the existence of a labor dispute at such place of business, or picketing or besetting the home of any individual in connection with any labor dispute"—section 12 (a) (1), section 301 (b)—is a limitation as well as a prohibition of picketing which offends constitutional guarantees of free speech and free assembly. As the Supreme Court has stated—*Thomas* v. *Collins* (322 U. S. 516 (1945, Rutledge, J.)):

> It was not by accident or coincidence that the rights to freedom in speech and press were coupled in a single guarantee with the rights of the people peaceably to assemble and to petition for redress of grievances. All these, though not identical, are inseparable. They are cognate rights—and therefore are united in the first article's assurances. * * * That the State has power to regulate labor unions with a view to protecting the business interest is * * * hardly to be doubted. They cannot claim positive immunity from regulation. Such regulation, however, whether aimed at fraud or other abuses, must not trespass upon the domain set apart for free speech and free assembly. This Court has recognized that "in the circumstances of our times the dissemination of information concerning the facts of a labor dispute must be regarded as within that area of free discussion that is guaranteed by the Constitution. * * * Free discussion concerning the conditions in industry and the causes of labor disputes appears to us indispensable to the effective and intelligent use of the processes of popular government to shape the destiny of modern industrial society." * * * "Free trade in ideas" means free trade in the opportunity to persuade to action, not merely to describe facts.

The prohibition in section 12 (a) (2), which this legislation by section 301 (b) now makes a violation of the antitrust acts, also runs into constitutional invalidity. Such section renders it unlawful to picket "an employer's premises for the purpose of leading persons to believe that there exists a labor dispute involving such employer, in any case in which the employees are not involved in a labor dispute with their employer." The constitutional guaranty of freedom of discussion in the opinion of the Supreme Court of the United States is infringed by this prohibition in the proposed legislation forbidding resort to persuasion through picketing where the immediate employer-employee relationship does not exist. A State statute which attempted a similar prohibition was found unconstitutional by the Supreme Court, which stated in its opinion that—

> A State cannot exclude workingmen from peacefully exercising the right of free communication by drawing the circle of economic competition between employers and workers so small as to contain only an employer and those directly employed by him. The interdependence of economic interest of all engaged in the same industry has become a commonplace. * * * The right of free communication cannot therefore be mutilated by denying it to workers, in a dispute with an employer, even though they are not in his employ. Communication by such employees of the facts of a dispute, deemed by them to be relevant to their interests, can no more be barred because of concern for the economic interests against which they are seeking to enlist public opinion than could the utterance protected in Thornhill's case. "Members of a union might, without special statutory authorization by a State, make known the facts of a labor dispute, for freedom of speech is guaranteed by the Federal Constitution." (*American Federation of Labor* v. *Swing et al.* (312 U. S. 287 1942).)

Section 12 (a) of the proposed legislation also prohibits and construes as unlawful concerted activities to prevent or attempt to prevent "any individual from quitting or continuing in the employment of or from accepting or refusing employment by, any employer," or to prevent or attempt to prevent "any individual from freely going from any place and entering upon an employer's premises, or from freely leaving an employer's premises and going to any other place," if such actions are accompanied "by the use of force or violence or threat thereof." The use of force or violence for the direct purpose of restraining trade or commerce can be enjoined under the Clayton Act as currently constituted—see *Bittner* v. *West Virginia-Pittsburgh Coal Co.* (241 F. 716 (C. C. A. 4)); *United States* v. *Railway Employees' Department* (290 F. 906 (C. C. A. 7)).

In any event, the use of force or violence which does not have for its primary purpose the restraint of trade, is already unlawful and a criminal offense under State laws. There is no necessity therefore to make such acts violations of the antitrust acts, and in the process convert the already overburdened United States district courts into police courts, or to convert such purely local offenses into Federal offenses punishable by $5,000 fines and 1 year in jail, or both. I want to point out that there is nothing in the act which prohibits an employer from provoking his employees to the use of force or violence in labor disputes, or from hiring thugs, strikebreakers, provocators, or others to commit acts of force and violence against workmen. While mere threats by employees of force or violence are made Federal offenses by this proposed legislation, employers are free to indulge in whatever threats they may wish to make, or have made for them, in order to provoke their employees to commit the prohibited acts. This provision goes so far as to deny strikers the right of every man to self-defense. Further, the proposed bill does not distinguish between authorized and unauthorized acts of individuals as members of a labor organization. If a picket, although prohibited by the union, indulges in acts of force or violence, either initiated by him or in self-defense, or made a threat thereof, not only the picket but the whole union probably would become liable in a civil action for triple damages, plus attorney's fees. This section of the proposed bill, as written, makes acts of force and violence or threats thereof committed by one picket an unlawful, concerted act. It creates a new and strange crime—the one-man conspiracy. I call to your attention again that this section of the bill is completely silent and wholly fails to designate as unlawful the various acts on the part of employers, which in years gone by have led to innumerable instances of the use of force and violence by them. It is perfectly clear that, in result, it will stimulate the use of force and violence by according such strong protection to the passage of strikebreakers through picket lines. This is all done, according to the bill, to minimize and prohibit abuses in the field of labor relations, and to minimize labor controversies.

Section 12 (a) (3) (A) prohibits the sympathy strike, the jurisdictional strike, a new apparition called the monopolistic strike, illegal boycott, sit-down strike, and the slow-down. Under the definition of monopolistic strike if a union struck against two employers in the same industry under a plan of concerted action, the strike would be illegal. It would appear that any agreement or understanding that both striking locals would receive relief funds and assistance from their international union or follow uniform practices prescribed by such international in the bargaining proceedings, might constitute concerted action. Some unions (American Newspaper Guild and United Electrical Workers) have established minimum contract standards. The locals in their collective bargaining are required to insist upon such minimum standards. It appears clear that strikes by two locals of either of such unions, even though geographically widely separated and unrelated one to the other, would be unlawful if they both arose from insistence upon such minimum-contract standards. The prohibition against the so-called monopolistic strike even without further analysis appears to extend even further and be more all-inclusive than a prohibition against industry-wide bargaining. It is difficult to forecast in advance just exactly what may result from the prohibitions against the sympathy, sit-down, or slow-down strikes. State laws currently on the books adequately cope with the sit-down strike and Federal legislation is unnecessary. The prohibition against sympathy strikes would run into the same constitutional objections as I have previously discussed with reference to the prohibition against picketing by section 12 (a) (2). Illegal boycotts (as variously defined by section 2 (14) of the proposed legislation), are already prohibited by the Antitrust Acts, whether they be primary or secondary boycotts, where the intent is to restrain trade and commerce or to destroy the business and good will of an employer. *Milk Wagon Drivers Union, Local 753*, v. *Lake Valley Farm Products* (311 U. S. 91 (1941); *Aeolian Co.* v. *Fischer* (29 F. (2d) 560 (C. C. A. 2)).

As stated by the President in his state of the Union message, the use of the secondary boycott to further jurisdictional disputes or compel employers to violate the National Labor Relations Act is indefensible. However, the President went on to say "Not all secondary boycotts are unjustified. We must judge them on the basis of their objectives.

For example, boycotts intended to protect wage rates and working conditions should be distinguished from those in furtherance of jurisdictional disputes. The structure of industry sometimes requires unions as a matter of self-preservation, to extend the conflict beyond a particular employer. There should be no blank prohibition against boycotts." The proposed legislation takes no cognizance of the legitimate labor need for secondary boycotts and unnecessarily prohibits the good with the bad.

Section 12 (a) (3) (B) prohibits all strikes or other concerted interferences with an employer's operations having for its objective the imposition of featherbedding practices. The definition of this term makes it illegal to strike in an attempt to require an employer to employ persons in excess of the number reasonably required to perform actual services. By this definition it appears that a strike against any form of stretch-out or speed-up would be illegal. For example, in a cotton mill, if the employer increases the number of looms to be tended by a weaver without any additional compensation, a strike against such a speed-up would be illegal. Furthermore, it would appear to afford any employer the absolute power to render a strike illegal even though its purpose were to enforce entirely legitimate demands for increases in wages. Thus, if a union demanded a 10-percent increase, the employer might respond that the increase would be granted but the workload would be increased proportionally. It would appear to strike under such circumstances would be illegal since, in effect, it would be an attempt to compel the employer to employ additional labor rather than to increase wages.

Section 12 (a) (3) (C) makes unlawful a strike or concerted interference with an employer's operations to compel an employer "to recognize for collective bargaining a representative not certified under section 9 as the representative of the employees." In a situation where no representative for collective bargaining has been certified, a strike by a representative of the majority of the employees for such purpose is prohibited, as well as so-called organizational strikes. This gives an employer a whip hand at the most vulnerable period in the organization of employees into a union. In such cases where the majority of the employees are members of a given union, which represents the clear majority, the employer can refuse to recognize such union and compel it to petition the National Labor Relations Board for certification, thus gaining additional time within which to further oppose and weaken such union.

Section 12 (a) (b) wipes out the jurisdictional amount of $3,000, now necessary as one of the prerequisites to jurisdiction of the United States district courts, for the purpose of entertaining an action for damages caused by unlawful concerted activities affecting commerce prohibited by the proposed legislation. The abolition of the jurisdictional amount will flood the Federal courts with petty suits and reduce them to the stature of municipal courts. The threat which this presents to other litigation venued in the Federal courts by jamming their calendars, is apparent. Such a step will result in loss and grievious inconvenience to other litigants, and break down the necessary expeditious administration of justice.

I should like to point out that section 301 of the proposed legislation amends section 6 of the Clayton Act only as to labor organizations and still retains the protective current provisions of such section as to agricultural and horticultural organizations. This only serves to heighten the differences in treatment which the proposed legislation specifically singles out for labor without affecting management, employers, or other types of organizations. This bill commits the American people to the chaotic labor relations of the nineteenth century. Working men and women constitute a dominant proportion of the American people. This bill is class legislation of the most transparent character and of explosive content. It is the type of legislation which delighted the masters of countries recently overthrown by the force of American and Allied arms. It is an abomination that I shall vote against imposing on the American people.

Mr. FERNANDEZ. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, in view of the fact that some of my colleagues on this side of the aisle have vehemently opposed this bill, it is with some hesitancy that I take the floor to oppose them. However, this matter is of vital importance, and I feel that entertaining, as I do, very definite views on the subject I should not remain silent for fear of giving offense.

My views, which I will express here, are well known in my State. During the last campaign I said repeatedly on nearly every radio station in the State that the labor laws needed revision. I stated to our many friends in the labor ranks that we wanted their help in proposing amendments which would be equitable to both labor and management, but that if we did not get that help from labor we would have to do the best we could without it.

We have here a bill, the only bill on which we will have the opportunity to vote. We have no choice but to vote for this bill even though it may be, as some of my friends think it is, very strong and that it might hurt labor in some respects. When a man is sick, it may be necessary to hurt him a little in order to cure him. It is now necessary, in my humble opinion, to pass this bill though it may hurt. We have no choice other than to do that or to sit here and twiddle our thumbs. It is the responsibility of the Committee on Labor to write the bill, and I believe they have done so with courage and sincerity, even though some may not agree with their wisdom in all respects.

I stated that my views were known in my State. I said during the campaign that strikes against public utilities which endanger the very life and health of the Nation should be settled by compulsory arbitration where mediation, conciliation, and voluntary arbitration fail. I stated that we should make labor unions just as responsible for their acts as we make management and industry responsible for theirs. I said time and again that I was opposed to jurisdictional strikes. At the time I was campaigning there occurred on the west coast a jurisdictional dispute between two labor unions. One of those labor unions set up pickets. The other labor union in turn set up pickets, presumably to picket the other pickets. Not to be outdone the employers who were holding the sack through no fault of their own, decided with sardonic humor to post their own pickets, I presume, to picket the pickets that were picketing the other pickets. In the meantime both sets of labor men lost money. The employers who were in no way at fault lost money. The public suffered. If this bill passes as it is written, that will not occur again. If this law, when enacted, does not stop that expensive foolishness, then the committee has not done a good job. I, for one, have faith in the ability and sincerity of the Labor Committee, and I, for one, shall vote for this bill.

True, I have supported some of the amendments, including that which would permit the contribution on the part of the employer of moneys for a health fund for the employees. But whether or not those amendments are adopted, I shall, as I did in the portal-to-portal bill, vote for it. If we have gone too far, we will have the aid of labor, which we are not now getting, to correct it.

Mr. REED of New York. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, I just want to say here and now, so that my constituents will understand exactly where I stand on this bill, that I voted originally against the first iniquitous Wagner Labor Act, and I am happy to have this opportunity now to correct the injustices that have been created by that act and to give the people of this country a fair break.

Mr. BRADLEY of California. Mr. Chairman, I move to strike out the last six words.

Mr. Chairman, I come from a district in California about as varied as any in the United States in the way of industry. I come from a strictly American district—one in which we have not had any great amount of labor trouble. However, the mere fact that we have not had a large amount of labor trouble has not kept us from having many tons of milk dumped in the gutters in the last few years, because the milk was said to be hot. I do not know, Mr. Chairman, whether the milk was hot, or the cows were hot, or the feed was hot; but I known darn well that the dairymen were hot and that the people were hot when they saw this milk poured down the gutters—the very milk that they needed for their families.

Also, the mere fact that my district has not had much labor trouble has not prevented my people from having to walk to and from their homes, to their places of business and back, because the bus drivers took it into their heads to strike on one or two occasions. These drivers were operating one of our public utilities. The only means they left for the people to get back and forth was by the use of an automobile, provided you

were a plutocrat, or by walking if you were not. The bus people had a franchise. They had the exclusive privilege of providing transportation services in the city of Long Beach. My people demand some relief from such occurrences.

Further, the fact that we are really peaceful has not kept us from being stymied by having our communications stopped by the present telephone strike.

My people, during the campaign last year, threshed out all these things rather thoroughly. They sent me here for the purpose of getting relief from some of the abuses under which they have been living. They demand relief from such practices as I have mentioned.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of California. I yield to the gentleman from Mississippi.

Mr. RANKIN. The gentleman did not tell us why it was necessary to pour all of that milk in the gutter.

Mr. BRADLEY of California. As I remarked, it was because somebody declared something hot.

Mr. RANKIN. What does that mean?

Mr. BRADLEY of California. Apparently some members of a union—I do not know exactly which ones—said that the cows ate feed which had not been hauled by a union representative, or the truck drivers hauling feed or milk were not all union men. Something of that sort. There are so many phases of the picture that I should not want to try to put my thumb on any one of them just now.

Mr. HARTLEY. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of California. I yield to the gentleman from New Jersey.

Mr. HARTLEY. I would like to refer to another practice that takes place out in the gentleman's State that this bill will correct. I have here an article from a newspaper which says:

> For returning to work at film studios in defiance of union bylaws against crossing picket lines, 18 members of the Motion Picture Painters' Union, Local 644, have been assessed fines totaling $277,100, it was announced yesterday.
>
> Seven were fined $20,300 each; one, $15,000; and 10 were assessed $12,000.

These were for daring to go back to their jobs.

Mr. BRADLEY of California. I have no doubt whatever but that the gentleman is correct. The area in which this occurred is not exactly in my district, where, as I said, we have had comparative labor peace.

Mr. Chairman, there are many details of this bill that I should have preferred to see omitted. It is not a perfect bill. I presume that it is not satisfactory in its entirety to any Member on the floor. However, it is a start in long overdue legislation aimed at the correction of abuses which have grown up during the New Deal years and which even the most sincere friends of labor know are essential if we are to have responsible government in these United States.

Some of the so-called rough spots in this bill will be smoothed considerably before it gets through conference. Undoubtedly some of the wisdom of the other legislative body will be reflected in the final product of the Congress. We, in the House, do not have all the intelligence of the Nation in our midst or at our fingertips and we welcome gladly such modifications as may be incorporated in this bill and finally agreed to by our conferees.

The fundamentals of this law are strictly in accordance with the basic principles that labor organizations are desirable and necessary, that this is to be a government of law rather than one dominated by irresponsible leaders of either capitol or labor, that the rights of the individual are not to be submerged in grants of power by the Congress, that labor cannot be compelled to work through the exercise of force or violence, that no one group or agency may be allowed to act as both judge, and jury, and that the wishes of the majority of employees must govern the status of all in establishing their relations with their employers.

Mr. Chairman, I am supporting this bill in the spirit of the remarks I have just made.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I move to strike out the last six words.

Mr. Chairman, Massachusetts has either the first or second finest labor-peace record in the entire United States. Massachusetts has competed steadily for a good many months or years with New York as to which State should be first in the labor-peace movement. My home city of Lowell steadily has had the finest labor-peace record in the country. The workers are wonderfully fine and very cooperative. Lowell has never had a bad strike. Many persons who work in industries must have voted at our last State election for the Barnes bill, which was a regulatory labor bill. It passed by a very large majority.

Mr. Chairman, I do not like this bill before us. I wish it was not going to be given to us to vote on in this form. But I do think some constructive legislation is necessary. I find that many of the workers in my congressional district believe that we must pass some type of legislation that does away with abuses. I, for one, will vote and fight to repeal the bill if it does not work.

Mr. Chairman, because there have been so few strikes comparatively in Massachusetts, I think it appropriate to include in my remarks a description of our labor-peace record in Massachusetts that appeared in the Boston Herald:

KEEP OUR GOOD NAME

> Massachusetts has an excellent record, relatively, for labor peace. We are usually either in top or second place in comparative freedom from strikes, alternating with New York.
>
> In 1945, the figures of the department of labor and industries show, we had 239 strikes, involving 60,693 workers and causing 397,530 man-days of idleness. In loss of time, that was but 1 percent of the national total, whereas, on the basis of our industrial position, a record of 3 percent would be expected.
>
> Last year, with 3,139,891 man-days idle by strikes, we slipped to 2.8 percent of the national total, but we were still near the top of the list in industrial peace.
>
> We need to stay at the top. Not only in relative stability, but in a forward-looking attitude toward the labor problem, as exemplified by the Slichter management-labor report and the Barnes bill, we have achieved national leadership.
>
> This is superb advertising. Many thousands of dollars spent for a State department of commerce to promote Massachusetts development could not match the attractiveness of a good record in labor affairs. Not only industry but the best class of workers are drawn here by this.
>
> So when drivers temporarily hold up half of Greater Boston's milk distribution, when construction laborers halt important building projects (despite the pledge to President Truman), we are trifling with our good name. Not that these will add significantly to the man-day loss total at the end of the year, but both are likely to gain notice outside the State.
>
> We cannot say that strikes are never justified. But it is true beyond all doubt that the vast majority of strikes are called before all resources of conciliation and arbitration are explored. The Slichter report has indicated how much might be accomplished if labor and management work earnestly for peaceful settlement. Here is a chance to make Massachusetts stand out as a strike-free State.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last seven words.

Mr. Chairman, I listened with a great deal of interest to the very excellent and correct remarks made by the gentlewoman from Massachusetts [Mrs. ROGERS] calling the attention of the House to the fine labor record that Massachusetts has enjoyed for some years. In Massachusetts both the American Federation of Labor and the CIO have excellent leadership, and the understandings between these organizations have been publicly recognized by industry, management, and the public. We have many fine labor-management studios or class clinics in Massachusetts, one at Holy Cross College, of which college I am an honorary degree member; and there are other institutions where management and labor get together and come to an understanding based upon respect. In my opinion, that is the thing that is essential in the success of any country possessing democratic institutions of government, respect for one another, respect for the views of one another no matter how wide apart they may seem to be.

I have always maintained that if I sit across the table from someone and we are in disagreement and have a problem to settle, if we do not impugn each others's motives, and we respect one another's views, somewhere along the line we are bound to get together. I think if management and labor get back more to the elements of decency, and if men get back more to the moral law, to the old ideas that the laborer is worthy of his hire and that a fair day's work is worth a fair day's pay, back to some of the fundamentals that are directly related to the moral law, many of the problems that confront us and upon which we must pass from a legislative angle would never exist.

The gentlewoman from Massachusetts referred to the labor record of Massachusetts. I am sure she will agree with me that to a great extent it is due to a man we had up there as Commissioner of Labor for 11 years, the Honorable James T. Moriarty.

"Jim" Moriarty is a remarkable man. He is a man who has been a labor leader

all his life. But he is one who calls the turn as he sees it. If labor is wrong, he tells them so. If management is wrong, he tells them so. "Jim" Moriarty had the complete respect of both management and labor, as well as the general public. Eleven years ago he was appointed Commissioner of Labor in Massachusetts by a then Democratic governor. He continued in that capacity under former Governor LEVERETT SALTONSTALL for 6 years. I am sorry he is no longer Commissioner of Labor in Massachusetts. But I have heard Governor SALTONSTALL say that while "Jim" Moriarty was a Democrat in politics he did not have a head of any agency of the State government who cooperated with him more thoroughly than James T. Moriarty.

It all comes back to the question of leadership—leadership in Government, leadership in labor, and leadership in management. I was very glad to hear the gentlewoman from Massachusetts call to the attention of the House the fine labor record that Massachusetts has enjoyed. I join with her in her remarks and pay tribute to a great public official who has been mainly responsible for it and who was loyally supported by the governors under whom he served, whether they were Democratic or Republican, and who rendered great contributions toward industrial peace that has existed in Massachusetts. I refer to Hon. James T. Moriarty.

Mr. JACKSON of Washington. Mr. Chairman, I take this opportunity to voice my opposition to the pending Hartley antilabor bill. While it is true there has been some cause to pass certain measures to correct the abuses on the part of some sources in the labor movement, we should not forget the vast number of unionized workers who are working under union contracts. Thousands of contracts have been negotiated in good faith by labor and management and these should not be disturbed. Unfortunately, through newspaper headlines the public only hears about disputes in which the process of collective bargaining has bogged down. The present bill reminds me of the analogy that to remove a gnat which has gotten in your eye, though exceedingly irritating, does not require the removal of your head. Labor in general has been fair and just in the treatment of employers.

On page 4 of the committee's report, I notice a number of misleading and false statements; for example, the report states:

> For the last 14 years, as a result of labor laws ill-conceived and disastrously executed, the American workingman has been deprived of his dignity as an individual. He has been cajoled, coerced, intimidated, and on many occasions beaten up, in the name of the splendid aims set for in section 1 of the National Labor Relations Act. His whole economic life has been subject to the complete domination and control of unregulated monopolists.

And so forth.

The committee would have you believe that 14 million union members have been thus treated. How ridiculous! It is well known that there are thousands of contracts covering millions of members which are mutually satisfactory to labor and management. However, the committee would have you forget this by magnifying the troubles of a minority group. Punitive legislation should not wreck the unions which are noted for their constructive progress in collective bargaining covering wages and working conditions.

Time will not permit a discussion of every provision contained in H. R. 3020. I would like, however, to call to the attention of the Members of the House certain provisions of the bill which would strike at the very heart of collective bargaining.

The most recent Bureau of Labor Statistics figures, estimates for the year 1946, indicate that of approximately 4.8 million workers covered by collective bargaining agreements, only 33 percent are covered by closed-shop agreements; 17 percent are covered by union-shop agreements, 25 percent by maintenance-of-membership clauses, 3 percent by preferential-hiring clauses, and 22 percent by none of these. Those agreements providing for a closed shop were drawn up by the representatives of management and labor and accepted by both groups in the democratic collective bargaining process. The proponents of the punitive labor legislation now being considered have overestimated the extent of closed-shop agreements now in effect in American industry and have misrepresented the nature and purpose of the closed shop. The closed shop is not invoked in all labor-management contracts but mainly in those industries and crafts where experience has shown over the past 50 years it best meets the peculiar needs and productive skills required in the craft and in the industry.

The so-called closed-shop issue is a smoke screen for an all-out attack against union security. The closed shop, of course, is that form of union security in which the owner agrees to hire only persons who are already members of the union and usually to hire such persons through the union. This operates as a condition of employment, providing that those benefiting from the activities of a union shall share in its responsibilities and costs. A union representing the majority of the workers in a plant, occupation, or factory speaks for all the workers in the group. Closed-shop agreements in collective-bargaining contracts extend the democratic principle of the responsibility of the individual for the acts of organizations representing him into the field of labor-management relations. There is nothing undemocratic in the principle of the closed shop, as members of the majority party would have you believe. As with other conditions of employment such as work hours, work uniform, shop rules, the worker accepts union membership as one of the proper responsibilities imposed by his job. If he objects to the conditions of employment, a worker in our free enterprise economy, seeks employment elsewhere.

The closed shop operates primarily in craft unions and in those craft unions in highly skilled handicraft shops where a high degree of training is required for employment. The system evolved, not because of the unions' wish to assume a dictatorial voice in the hiring of persons, but as a natural development of early systems, such as the guilds, where skilled workmen took personal pride in a high standard of workmanship and production. In these shops, the closed shop makes fuller labor-management cooperation possible, promotes efficient production, and makes for greater responsibility among workers and union leaders who are directly responsible to all the workers they represent. During the last decade there have been significantly fewer strikes proportionately in plants where union status, responsibility, and security have been guaranteed by closed-shop and union-shop agreements. In spite of this splendid record, the proponents of the pending bill seek to outlaw the closed shop and make the union shop unobtainable in many cases. The union shop, under this legislation, could only be put into effect with the consent of the employer, giving an unscrupulous employer unfair advantage over his workers and over his more fair-minded competitors.

I should like to call to your attention an international union which has a record of splendid relations with their employers and their members, and which would be wiped out of existence by the proposed measure. Section 2 (12), (B), and (C), page 11 define as a supervisor one "who is employed to act in other respects for the employer in dealing with other individuals employed by the employer, or who is employed to secure and furnish to the employer information to be used by the employer in connection with any of the foregoing; or who by the nature of his duties is given by the employer information that is of a confidential nature, and that is not available to the public, to competitors, or to employees generally, for use in the interest of the employer."

There has been no evidence submitted to the committee to suggest the necessity to exclude a large group of employees from the benefits of collective bargaining. On the other hand, the record of this international union has been such as to indicate that it is a necessary part of the labor-union movement and should be entitled to the support and aid of our Government in raising the standards of the scientists and architects and engineers engaged in the architectural and engineering professions. Before the advent of this union, these employees were the white-collar forgotten men. Until they organized, there was no method whereby they could increase their income in relationship to that of the manual worker. Being small in number and scattered throughout the country, the individual architect, engineer, or scientist had no means of presenting his needs to his employer. Only through organization has this class of employees gained recognition.

The organization to which I specifically refer is the International Federation of Technical Engineers, Architects, and Draftsmen's Unions, affiliated with the American Federation of Labor. This organization represents a high type of membership who do the architectural, engineering, and scientific work of our

country. They use their brains in seeking out new materials and new methods of production. By the very nature of their work, they have confidential information which is neither available to the public nor to their employer's competitors. As the result of their research and investigation, they are reducing the man-hours required in production and are constantly improving the design of the product of their employer in order to gain advantage over their competitors. They are loyal employees and use the confidential knowledge which they have for the benefit of their employers and they should not be prohibited from joining a union for the improvement of their economic status.

I have made this illustration to show definitely that while the proponents of this bill profess their belief in unions and collective bargaining they propose in fact to destroy completely an international union with a long record of excellent labor-management relations.

The free-enterprise goal of high production and high consumption can best be achieved through mass production of low-cost products, made possible by increasing our industrial efficiency. American standards of fair play and sound economics no longer countenance price competition through competitive cutting of wages. A high level of consumption is impossible unless laborers receive wages which are reasonably in line with wages of other workers and prices of consumer goods.

To correct the present maladjustment in the relationship between individual incomes and the inflated price level, the combined efforts of employers, workingmen, and consumers are needed. At the time of the highest prices and highest corporate profits in history, the majority party has introduced H. R. 3020 containing provisions which, by crippling collective-bargaining mechanisms, would handicap labor and management in their constructive efforts toward stopping the inflationary spiral. In the long run all parties, management, labor, and the public, would suffer. I cannot state too emphatically my opposition to such legislation.

Mr. HUBER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, it has been repeatedly charged here that legal counsel for certain corporations had a hand in the writing of this bill. I do not know whether that is true or not.

However, there is one thing I am certain of, and that is that no member of the rubber industry would stoop to such skulduggery. The rubber industry and the United Cork, Rubber, Linoleum, and Plastic Workers of America, to their everlasting credit, have recently reconciled their differences, and they have agreed on a work contract on an industry-wide basis. They are enjoying peaceful relations throughout the United States from Maine to California.

I know many of the local members of the rubber workers' union. I know most of the officials, and I say of those members of the local, to those who would make this charge of communism and radicalism, that those fine, Christian, patriotic American citizens could throw those charges back in the faces of their accusers.

It seems to me labor today is somewhat in the position of a tired, old, faithful work horse. He has been abused. He has been beaten. He has been overworked and he has been underfed. At the present time he may be a little balky or a little skittish, so we call in the Republican veterinarian, and instead of giving the old horse a little shot of hypodermic to cure his ills, the veterinarian advocates cutting off his head and sending the old work horse to the glue factory.

That is what you are doing to labor by enacting this drastic legislation. Everyone who is interested in labor problem will admit that some reforms are necessary, but we are going way beyond anything that has been demanded.

Mr. HARRIS. Mr. Chairman, for 3 days we have listened to the spirited and at times heated debate on this grave and important economic issue. Along with the foreign-policy questions, an adequate national-defense program, balancing of the budget, reduction of unnecessary expenditures of Government, a program of economy, and bringing about a reduction in taxes, this question of labor and management relations is, and rightfully so, one of the most important issues for this Congress to consider.

This is not a new issue. It was one we tried to deal with in the last Congress without reaching a conclusion and here we are again in this Congress fervently and anxiously trying to solve an issue by doing justice to the workingman, to industry, and, above all, to the public. Most everyone is of the belief and opinion that something needs to be done. This feeling has been accentuated since the ending of the war by unfortunate developments, one following another. The President of the United States, who in my opinion is doing a magnificent job, has told us more than once that something needs to be done, that jurisdictional strikes should not be tolerated, that boycotts are indefensible, that mutual responsibility is highly desirable, and that we need to strengthen our Conciliation Service. There have been many polls taken and various methods of expression from the public, all of which say that something needs to be done to correct the inequities and to bring some degree of peace out of chaos that continuously endangers our whole economic structure.

This question goes much further than merely the issue between a labor union and management. It affects our entire economic structure and unless adequate and proper adjustments are made, we are headed toward a condition I feel far worse than the darkest days of the depression. Yes, as grave and serious as exists in other countries today where they have no economy, no labor rights and no industrial production.

I am sure it is the desire of most of us to try desperately to provide the adjustments to our labor-relations program that will bring about industrial peace, happiness, and prosperity. We are all anxious, I am sure, to end strikes and bring about peaceful relationship between management and labor, without depriving either of rights to which they are justly entitled. I am one of those who believe that we should deal with these problems not on the basis of theories, but practically and realistically. It is imperative that if we are going to do a good job for the people of this country that we must give it the best and most sincere consideration of which we are capable. We can accomplish our objective only by sound and courageous action.

I have some serious doubt, Mr. Chairman, as to some of the provisions of this bill. Its general purposes, I feel, are designed to accomplish the objective sought. A great many of the provisions are desirable but in some respects, I am apprehensive as to what will be the consequences. If we are going to be successful, we must not deprive anyone or groups of those rights that are guaranteed to them in our Constitution and Bill of Rights. Equal justice should be the guiding star.

You will recall, Mr. Chairman, that I voted against the Case bill as originally passed in this House in the last Congress. I did so because of the punitive provision that would deprive an innocent man of all rights and benefits under the law if he belonged to a union that was held to be in violation of that act. Though I recognize the desirability and necessity of adjustments to the Labor Relations Act, I refused to subscribe to a bill that could penalize anyone for something for which he was not responsible.

That objectionable feature was eliminated in the Senate and in the conference and when the report came back to the House, I voted for it. I did not feel that it was wholly satisfactory just as I do not think this bill is altogether satisfactory, but it did give, as this does, to the Nation a clarification of basis and policies of labor legislation. I realize this is the first step in the processing of this legislation and it will go through many more steps before it is completed. I trust as it progresses that it will become more desirable legislation, retaining and strengthening those provisions that are needed and determining more fully the issues that are questionable.

Generally the committee has done a fairly good piece of work with this highly technical and difficult problem. This bill provides a prohibition against jurisdictional strikes, the outlawing of boycotts, defines the terms more clearly and sets up definite policies as to what are fair and unfair labor policies and practices. It establishes and proposes to strengthen the Conciliation Service, provides for mediation and arbitration, preserves the right to organize, collective bargaining, and for mutuality of contracts.

Union shops are provided for as against the closed shop. Employers and employees are permitted to discuss their mutual problems. Industry-wide bargaining, one of the clear and controversial issues is prohibited but company-wide bargaining is permitted. The right to remain a member of a union, without being suspended or expelled, except for nonpayment of dues, disclosing confidential information of the union,

violation of union contracts, being a Communist or fellow traveler, being convicted of a felony or engaging in disreputable conduct that reflects on the union, the right to vote by secret ballot in free and fair elections on matters pertaining to his union or issues involved in connection with his work are protected, the right to obtain employment without joining a union and the right to vote by secret ballot on whether his employer and a union can compel him to join in order to retain his job is clearly proposed.

I have always supported the procedure as established by the Railway Labor Act. This bill proposes to give the Government authority to intercede in strikes imperiling public health, safety, or national interest. It gives the President the authority in such controversies as the Supreme Court recently held that he had in connection with the coal strike and the arbitrary action of John L. Lewis. It does not amend the anti-injunction law in any other respect. No one can use the injunctive proceedings except the Government at the instance of the President of the United States, and only then when the public health, safety, and interest are endangered.

Furthermore, during the processing, the same procedure is invoked as we have under the Railway Labor Act to bring about a satisfactory settlement of the dispute. Mediation and conciliation are invoked and if that fails, arbitration on a voluntary basis is provided, with the chief justice of the Circuit Court of Appeals for the District of Columbia as chairman of the board of arbitration.

These are some of the desirable features of this proposed legislation to help clarify existing law and procedure in disputes with semijudicial determination to resolve the issues in cases of national importance, which I believe is the most practical and realistic approach to this difficult and controversial national issue.

It is on this basis, Mr. Chairman, that I expect to vote for this bill, in an effort by this first legislative step to provide a legislative formula establishing standards to bring about a fair and equitable determination of labor and management relations.

Mr. KLEIN. Mr. Chairman, I move to strike out the last seven words.

Mr. Chairman, at some point before we adjourn today I felt, as a minority member of the committee, since certain statements have been made about how the bill was written, that I, speaking for myself and I believe for the minority members of the committee, should state that there never was any intent to cast any reflections on our chairman, the gentleman from New Jersey [Mr. HARTLEY], personally. The treatment he accorded the members of the committee was always gentlemanly and we have no complaints on that score whatsoever. I think possibly the treatment that was accorded the minority members in the writing of the bill was just as distasteful to the gentleman from New Jersey as it was to us, but I believe he was working under orders from the Republican steam roller to get a bill written and to get the type of bill out of the committee as was actually reported. I am certain that, had he had his own way, he would not so completely have disregarded the minority members on the committee.

The CHAIRMAN. The time of the gentleman from New York has expired.

The Clerk read as follows:

REPORTS OF LABOR ORGANIZATIONS TO MEMBERS

SEC. 303. (a) Within 30 days after the end of its fiscal year first occurring after the date of the enactment of this act and within 30 days after the end of each succeeding fiscal year, every labor organization whose members are employed in an industry affecting commerce shall file with the United States Department of Labor a report for such fiscal year, in such form and detail as the Secretary of Labor shall by regulations prescribe, which shall include—

(1) the name and address of the organization;

(2) its receipts and disbursements;

(3) the names of its principal officers and the compensation and allowance or reimbursement for expenses paid to each;

(4) the names and addresses of all employers with which it maintains collective-bargaining relations;

(5) a copy of its constitution and bylaws, and a statement of the policies or practices which it follows in admitting individuals to and expelling individuals from membership therein; and

(6) such other information respecting the organization and its activities as the Secretary of Labor may by regulations prescribe.

The report shall be filed under oath, and shall be accompanied by a statement under oath that it was mailed to each member of the organization at his last-known address. The report shall not be made public by the Secretary of Labor.

(b) Violations of this section shall be punishable by a fine of not more than $2,000, or by imprisonment for not more than 1 year, or both.

With the following committee amendments:

Page 65, line 22, strike out "30" and insert "60."

Page 65, line 24, strike out "30" and insert "60."

Page 66, line 1, after the word "year", insert "the principal officers."

Page 66, line 8, after the figure "(2)", insert "a detailed financial report including a balance sheet and an operating statement and showing."

Page 67, line 2, after the word "Labor.", insert "In the case of a report required under this section prior to the expiration of 1 year from the date of the enactment of this act, if any of the required information is not available an answer 'no information' shall be sufficient."

The committee amendments were agreed to.

The Clerk read as follows:

RESTRICTION ON POLITICAL CONTRIBUTIONS

SEC. 304. Section 313 of the Federal Corrupt Practices Act, 1935 (U. S. C., 1940 ed., title 2, sec. 251; Supp. V, title 50 App., sec. 1509), as amended, is amended to read as follows:

"SEC. 313. It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention held to select candidates for any political office, or for any corporation whatever, or any labor organization, to make a contribution or expenditure in connection with any election at which Presidential and Vice Presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to Congress are to be voted for, or in connection with any primary election or political convention held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this section. Every corporation or labor organization which makes any contribution or expenditure in violation of this section shall be fined not more than $5,000; and every officer or director of any corporation, or officer of any labor organization, who consents to any contribution or expenditure by the corporation or labor organization, as the case may be, in violation of this section shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both. For the purposes of this section 'labor organization' shall have the same meaning as under the National Labor Relations Act."

With the following committee amendment:

Page 67, line 11, after the word "act", strike out "1935" and insert "1925."

The committee amendment was agreed to.

Mr. RAYBURN. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RAYBURN. Mr. Chairman, I assume that my situation in reference to this legislation is very much the same as that of practically every Member of the House. I have tried to know some of the things that are in this bill. I realize and recognize as well as anyone that we must, if we can, do something to bring about industrial peace in the United States of America. It will be good for enterprise, free and otherwise; it will be good for labor and the consuming public—and we are all consumers.

I have tried to approach legislation always from the standpoint of bringing about justice, fair play, and equal opportunity for all people. I have never thought that legislation should be passed to punish anybody, any group, or any section but, let me repeat, I think it should be passed and made law to bring about justice to everyone as nearly as possible. In my opinion we should not pass legislation in heat or in response to clamor, but we should pass it after using every bit of brains and reason we have.

I quote from a message from the President of the United States—the present President of the United States. He has been getting along pretty well in bringing about industrial peace. He is the one man in 25 years who had the courage to take on John L. Lewis. Others have had an opportunity. The coal strike stopped. The President appeared before this House a few months ago when transportation throughout the length and breadth of the country was at a standstill, a condition which if continued meant famine and starvation. Pestilence in all probability would follow. That strike closed immediately. He used this language:

> We must not under the stress of emotion endanger our American freedoms by taking ill-considered action which will lead to results not anticipated or desired.

I doubt if there is any Member in this body who does me the honor of listening to me now who does not have serious

doubts about some of the far-reaching implications of this bill. I know I do. I am going to put in the RECORD the recommendations, the reasoned recommendations of the President of the United States.

The President in his message said:

I propose to you and urge your cooperation in effecting the following four-point program to reduce industrial strife:

Point No. 1 is the early enactment of legislation to prevent certain unjustifiable practices.

First, under this point, are jurisdictional strikes. In such strikes the public and the employer are innocent bystanders who are injured by a collision between rival unions. This type of dispute hurts production, industry, and the public—and labor itself. I consider jurisdictional trikes indefensible.

The National Labor Relations Act provides procedures for determining which union represents the employees of a particular employer. In some jurisdictional disputes, however, minority unions strike to compel employers to deal with them despite a legal duty to bargain with the majority union. Strikes to compel an employer to violate the law are inexcusable. Legislation to prevent such strikes is clearly desirable.

Another form of interunion disagreement is the jurisdictional strike involving the question of which labor union is entitled to perform a particular task. When rival unions are unable to settle such disputes themselves, provision must be made for peaceful and binding determination of the issues.

A second unjustifiable practice is the secondary boycott, when used to further jurisdictional disputes or to compel employers to violate the National Labor Relations Act.

Not all secondary boycotts are unjustified. We must judge them on the basis of their objectives. For example, boycotts intended to protect wage rates and working conditions should be distinguished from those in furtherance of jurisdictional disputes. The structure of industry sometimes requires unions, as a matter of self-preservation, to extend the conflict beyond a particular employer. There should be no blanket prohibition against boycotts. The appropriate goal is legislation which prohibits secondary boycotts in pursuance of unjustifiable objectives, but does not impair the union's right to preserve its own existence and the gains made in genuine collective bargaining.

A third practice that should be corrected is the use of economic force, by either labor or management, to decide issues arising out of the interpretation of existing contracts.

Collective-bargaining agreements, like other contracts, should be faithfully adhered to by both parties. In the most enlightened union-management relationships, disputes over the interpretation of contract terms are settled peacefully by negotiation or arbitration. Legislation should be enacted to provide machinery whereby unsettled disputes concerning the interpretation of an existing agreement may be referred by either party to final and binding arbitration.

Point No. 2 is the extension of the facilities within the Department of Labor for assisting collective bargaining.

One of our difficulties in avoiding labor strife arises from a lack of order in the collective-bargaining process. The parties often do not have a clear understanding of their responsibility for settling disputes through their own negotiations. We constantly see instances where labor or management resorts to economic force without exhausting the possibilities for agreement through the bargaining process. Neither the parties nor the Government have a definite yardstick for determining when and how Government assistance should be invoked. There is need for integrated governmental machinery to provide the successive steps of mediation, voluntary arbitration, and—ultimately in appropriate cases—ascertainment of the facts of the dispute and the reporting of them to the public. Such machinery would facilitate and expedite the settlement of disputes.

Point No. 3 is the broadening of our program of social legislation to alleviate the causes of workers' insecurity.

On June 11, 1946, in my message vetoing the Case bill, I made a comprehensive statement of my views concerning labor-management relations. I said then, and I repeat now, that the solution of labor-management difficulties is to be found not only in legislation dealing directly with labor relations but also in a program designed to remove the causes of insecurity felt by many workers in our industrial society. In this connection, for example, the Congress should consider the extension and broadening of our social-security system, better housing, a comprehensive national health program, and provision for a fair minimum wage.

Point No. 4 is the appointment of a temporary joint commission to inquire into the entire field of labor-management relations.

I recommend that the Congress provide for the appointment of a temporary joint commission to undertake this broad study.

The President, the Congress, management, and labor have a continuing responsibility to cooperate in seeking and finding the solution of these problems. I, therefore, recommend that the Commission be composed as follows: 12 to be chosen by the Congress from the Members of both parties in the House and the Senate, and 8 representing the public, management, and labor, to be appointed by the President.

The Commission should be charged with investigating and making recommendations upon certain major subjects, among others:

First, the special and unique problem of Nation-wide strikes in vital industries affecting the public interest. In particular, the Commission should examine into the question of how to settle or prevent such strikes without endangering our general democratic freedoms

Upon a proper solution of this problem may depend the whole industrial future of the United States. The paralyzing effects of a Nation-wide strike in such industries as transportation, coal, oil, steel, or communications can result in national disaster. We have been able to avoid such disaster in recent years only by the use of extraordinary war powers. All those powers will soon be gone. In their place there must be created an adequate system and effective machinery in these vital fields. This problem will require careful study and a bold approach, but an approach consistent with the preservation of the rights of our people. The need is pressing. The Commission should give this its earliest attention.

Second, the best methods and procedures for carrying out the collective-bargaining process. This should include the responsibilities of labor and management to negotiate freely and fairly with each other, and to refrain from strikes or lock-outs until all possibilities of negotiation have been exhausted.

Third, the underlying causes of labor-management disputes.

Some of the subjects presented here for investigation involve long-range study. Others can be considered immediately by the Commission and its recommendations can be submitted to the Congress in the near future.

I recommend that this Commission make its first report, including specific legislative recommendations, not later than March 15, 1947.

If they were incorporated in a bill I believe they would help bring about understanding and industrial peace. I do not believe, and I am serious and earnest about it, that this bill will have that effect. If every man and woman in this House voted who had a serious, conscientious, earnest doubt about what a bill like this enacted into law might do I would have no doubt as to what the outcome would be.

We had better wait a minute, we had better consider these great economic issues; not, let me repeat, punish somebody we do not like, some labor leader we do not like.

You are affecting not alone the labor leader. He probably does better and can get his salary increased oftener if there is not industrial peace. I am thinking about those millions of men and women whose rights, prerogatives, and privileges you may affect by this legislation to their detriment, and maybe to your detriment and to time.

I cannot support this bill and I am not going to. I do not think it has had the sound consideration that it should have had. I am going to vote for the motion to recommit, to send this bill back for further study. That will not be adopted, of course, in the temper of this House. Then I am going to vote against the bill and wait and hope that after the Senate in more of a seasoning period passes a bill, and then after the conferees have labored, I hope and trust they will bring forth a product that I can believe is fair and just and that I can believe will bring about industrial peace.

My friend from Oklahoma [Mr. ALBERT] a moment ago referred to pressing down a crown of thorns on somebody's brow. I do not want industry to press down a crown of thorns on the brow of labor. I do not want reckless, unthinking, and in some instances not good men to press down these thorns upon industry and all of us. I think we should study this bill a while longer. I think we should reason with it a while longer and pass a law that will be fair, one that will be just to all people, labor, capital, industry, and the millions of men and women who eat, wear, and consume, and whose interest should be the first and uppermost in our minds.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HALLECK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, as on every occasion we have listened carefully to the words of the eminent gentleman from Texas [Mr. RAYBURN] the minority leader.

I had hoped that he would vote for this bill. I think that what he has said demonstrates a very definite recognition on his part that something needs to be done. I am sorry that he has arrived at the conclusion that he has just now announced. I think I can demonstrate here in a few minutes that on the basis of his statement his conclusion to vote against the bill is error.

He referred to certain requests for legislation transmitted to the Congress by the President of the United States. He said that the President is doing quite well with respect to the matter of industrial relations. Well, the President's veto of the Case bill in the last Congress certainly did not constitute a contribution. It is contended by many, and I think with much force, that the real reason for such

industrial peace as we have most recently had stems from the fact that the Congress of the United States, Republicans and Democrats, have been for weeks and months engaged in holding hearings and in the drafting of legislation dealing with the whole problem of labor-management relations.

The President in his message on the State of the Union asked for several specific things that are in this bill. He characterized jurisdictional strikes and secondary boycotts as an abuse, and he referred to the sanctity and obligation of contracts. Yes; he said we needed a strengthening of the conciliation processes. Now, he vetoed some exceptionally good language in the Case bill having to do with jurisdictional strikes and secondary boycotts and mutuality of obligations on contracts.

The gentleman from Texas, with the slight exception of his reference to the present situation of President Truman, injected no politics in what he had to say, and certainly I want to avoid partisanship. But I might just inquire as to whether or not the President, too, does not know something of the temper of the people of the country who demand of the Congress that we act now, not tomorrow, or next month or next year. As we have moved to the accomplishment of the things that the people of this country demand and expect, and have the right to expect, we are constantly met with the blandishments of certain people on the other side who say to us, "Now, this is all right, but now is not the time to do it." Well, those of us who think the time has come to act just are not going to listen to that.

The gentleman from Texas said that the President took Mr. Lewis by the whiskers. Well, I have heard a lot of people complain about the injunctive process contained in this proposal. I wonder what they think about the injunctive process invoked by the executive branch of the Government in connection with the coal strike.

I want to say this for the committee that has worked on this measure, and I say it equally for the Democratic members who themselves have worked on the measure, the members of that committee who sat through weeks and weeks of testimony, day after day, listening to all persons who wanted to be heard, I commend them. Certainly do I commend them for the painstaking, careful, workmanlike job that they have done in drafting this bill and incorporating in it the provisions with some of which you may not agree, it is true, but dealing with things that have been debated back and forth across this country for months and years.

Some of my good friends of the minority side on the committee—and I have known JOHN LESINSKI and the rest of them a long time—say they were not consulted much about the writing of this bill. I just looked up the record on the vote on the rule, and all six of those estimable gentlemen voted against the rule, which just means that they were not for doing anything. As the gentleman from Minnesota [Mr. MACKINNON] pointed out, that sort of cooperation is not very helpful when you get down to writing the bill. The committee voted this bill out by a vote of 18 to 4. The committee wrote the bill. Do not let anyone disturb you with any red herring drawn across the trail or any smoke screen.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HALLECK. I thank the gentleman from Massachusetts for his fine attitude, an attitude that I hope on every occasion I may be able to reciprocate.

I think it is unfortunate that in the committee hearings many of the leaders of organized labor stubbornly refused to enter into any sort of cooperative action with the committee to draft this bill, notwithstanding that the President said something needed to be done and notwithstanding that polls taken clear across the country demonstrated that the people believe something needs to be done, and we know something needs to be done. I say it is unfortunate that the leaders of organized labor were not willing and did not enter into that work and that effort, and make their contribution to the writing of legislation. But they did not do it, so the committee has written the bill as fine, able, patriotic Members of Congress and citizens of the United States and they have brought the bill here to us.

For myself, I am going to support this bill and vote for it, and I think every one should.

This is no time to discuss the details of the bill. Much time has been devoted to that. But I should like to say something to some of my friends who are possibly concerned about voting for this bill. I was here through a number of Democratic Congresses. I was here back in 1940 when we had about 150 or 160 Republicans and the rest were all Democrats. In those Congresses, those of us who were here voted for a great many of the things that are in this bill, and some of them we voted for several times. Why, the amendment to the Wagner Act, the separation of the prosecuting from the judicial functions, the right of an employer to petition for an election, the free-speech amendment—those were things that were voted on in 1940 by a Democratic House of Representatives and passed here by a vote of 2 to 1. Yes; I have often said that if those amendments had been then adopted much of the trouble we have had since then would have been avoided.

What other things have we voted for? We voted for a provision for conciliation and a cooling-off period, with a strike ballot. We voted to outlaw jurisdictional strikes and secondary boycotts. We voted for contractual responsibility. We voted for provisions against violence, to maintain law and order. We voted for reports by labor unions to their members. We voted prohibitions against political contributions by aggregations of capital, whether on the corporate or the labor side. About everybody here voted for the Petrillo bill.

And some pretty stiff penalties were embodied in so-called Petrillo bill that are not found in this bill. But all of you who were here, even on the other side of the aisle, voted for that. The prohibition there was that an employer should not be blackjacked into hiring more people than he needed just to have them standing around.

There are two new things in this bill, generally speaking. One of them is the closed-shop and union-shop provision, and the other is the attempt to deal with industry-wide bargaining.

I think that the right-thinking people of the country, by an overwhelming majority, insist that we undertake to deal with those two propositions.

I suppose that, as the gentleman from Texas has said, there are a number of people here, and it may even be true of everyone here, that they would change some part of this bill if they were writing the bill on their own. But you know that is not the way we write legislation. It cannot be written that way. On the whole, there is no question, I think, in the minds of the overwhelming majority of the Members of the Congress on both sides of the aisle that this bill is fair; that it is an honest, sincere effort to solve the problem of bringing about some sort of equity and fairness and peace into industrial relations in our country.

Where does that bring us with respect to the conclusion of the gentleman from Texas? He said he hoped this bill would go to the Senate. Perhaps he did not say exactly that, but I understood him to say, "after it goes over there," which certainly assumes that it will. Then, the Senate will act on it.

Next, the bill will go to conference and then, he says, he will take a look at the conference report. It is true that the pasage of this bill is just the initial step in a legislative process, and that it will go through many more steps before it is finally enacted into law.

But I do not know whether anyone can predict what will happen in the other body. I do not know whether anyone can predict what will come out of the conference. The gentleman from New York [Mr. CELLER] was quite confident that the President would veto the bill if we sent it down to him. Except for his original message on the state of the Union, which practically repudiated his veto of the Case bill, I do not know yet what the President wants. That is something I have not been advised about. So, as far as I am concerned, the only thing to do is to go ahead as a Member of the legislative body and write the best bill I know how. That should be the approach for all of us.

The gentleman from Texas says he is going to vote "no" on the bill. In my opinion, a "no" vote on this bill is a vote to just not have any labor legislation at all. If enough people voted "no" on this bill, there would not be any labor legislation. It would stop right here. I do not see how anyone who believes that something needs to be done can, at this stage of the proceedings, sound the

death knell of this whole legislative process and in effect and in fact say that this is the end and nothing shall be done.

I know many of the Members are going to vote for this bill, but not because they believe in every provision in it. Evidence of that is found in the fact that some amendments were offered, some by my good friend and colleague the gentleman from Indiana [Mr. LANDIS], which had considerable support among the membership but which were not adopted. I say that demonstrates there is not complete unanimity of opinion as to every provision in the bill. But, as I said before, this is the beginning of a legislative process and at least a beginning should be made. It is long overdue.

Here and now is the time to say to the American people that, as Members of Congress, we have the courage, we have the fortitude, we have the good judgment, and the common sense to undertake the writing of legislation dealing with these very troublesome problems. No one can minimize the threat to our national welfare and security involved in our failure to respond to that demand in the country.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. HALLECK] has expired.

Mr. HARLESS of Arizona. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. HARLESS of Arizona. Mr. Chairman as we come to the close of 3 days of extensive debate on this labor bill, I have resolved to cast my vote for the motion to recommit the bill to the Committee on Labor and Education for further study. If this motion is defeated, which it appears that it will be, I shall be compelled to vote against the bill.

There are many good features in this measure. I had hoped that I could vote for a labor bill which would outlaw jurisdictional strikes and place equal responsibility of contract upon employer and employee, control industry-wide strikes, and prevent strikes against the Government. There are other features in this bill which I consider meritorious; however, there are many features in this measure which are so violent and objectionable that I find it necessary for me to vote against the measure in order to prevent the enactment of these objectionable features.

I cannot go along with this measure, because I feel that if it is enacted into law, it will give the power to the employer to destroy labor unions and to substitute individual bargaining for collective bargaining. This measure would give the employer the right to bring antitrust actions against employees and to institute criminal prosecutions against them and to obtain ex parte injunctions without a hearing. However, the employer version of the law is subject merely to a cease-and-desist order issued after administrative hearings or a court review. Further, this bill gives the employer the right to compel employees to accept a wage cut through forced labor for an indefinite period of time. This bill also gives the employer the right to break strikes caused by his own illegal conduct. It gives the employer the right to obtain injunctions against strikes which have been legal for the last 50 years. The employers retain the right to associate together for bargaining purposes, however, it outlaws that right for labor unions. It gives the employer the right to destroy a bargaining agent and to play employees against each other. It gives the employer the right to establish company unions and destroy independent unions. It gives the employer the right to destroy the bargaining agent and to refuse to bargain on matters of health, welfare programs, apprentice-training programs, and speed-up programs.

This bill also gives the right to the employer to break a strike for recognition even though the union represents an overwhelming majority of the employees. The employer may outlaw and crush a strike by hiring strikebreakers even though the strike is caused by his own misconduct. The employer may even cooperate with antilabor employers in order to destroy unions and receive no penalty therefor. The employer may also sue for treble damages and obtain injunctions after employees in one department strike against a wage cut in another department. The employer may lock out and blacklist office clerks if they join a union. The employer may also instigate criminal proceedings against individuals who exercise the right to picket. The employer may prevent the designation of a bargaining agent for a period of years. The employer may plant spies in union ranks and the union is powerless to expel them. The employer may ignore union security and even refuse to discuss it with the union, and may, at his discretion, crush a strike or threat of a strike. In fact, the employer is given the right to crush any strike when a collective-bargaining contract exists even if the strike is caused by an issue not covered by the contract. In substance the employer is given the power of a dictator at the hands of the Government over the union.

I am fully aware that many unions and union leaders have abused the right to strike; however, this privilege of collective action is the only means by which the American working man and woman can protect themselves against sweat shops and employer subjection. The mere fact that mistakes have been made in the past is no reason for us to create laws which will bring about the utter destruction of labor unions.

I feel that this legislation will create chaos in labor-management relations and ultimately will bring about a lowering of the standard of living of the working people of this country. It is most unfortunate that the majority in this House has seen fit to lump together all the matters that are contained herein. In order to obtain the desirable features it is necessary to vote for all of these very harmful and destructive features. I find that it is like eating an apple which is half rotten in order to get the good part, and in this case I sincerely believe that the bad features are so undesirable that it makes the entire piece of legislation undesirable and objectionable. Therefore, I must vote against it. I hope that after this bill has been considered by the Senate and the conference committee that some of these undesirable parts will be removed so that it will be possible for me to cast my vote for a temporized labor bill on final enactment.

This Nation now faces strife in industry which could lead to the economic paralysis of the entire country. We have a situation wherein both employees and employers are subject to hardship, and which, moreover makes the public in general suffer its consequences. This situation is obviously contrary to our democratic ideals, and I cannot vote for a measure so extreme in one direction that it would soon aggravate and magnify the evils of industrial strife rather than correct them.

Mr. RANKIN. Mr. Chairman, I move to strike out the last eight words.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. RANKIN. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

Mr. GOFF. Mr. Chairman, I object.

Mr. RANKIN. Mr. Chairman, I shall try to condense what I have to say into the 5 minutes allotted me.

I would not take the floor at this time had it not been for the address of the distinguished gentleman from Texas [Mr. RAYBURN] the minoirty leader, who did not in his speech reflect the views of a large number of us Democrats, who are going to support this bill.

As far as the President of the United States is concerned, Harry Truman never had a better friend in Congress than I am, and have been for years. He suits me better than any other man who has been President since I can remember. I do not believe he will veto this bill.

The gentleman from Texas [Mr. RAYBURN] tells us that if we have any doubt at all we should not vote for the legislation. If you put your votes on that basis you will never vote for any legislation at all.

Now, the gentleman talks about injustices. Some of the greatest injustices that have ever been wrought have been in some of the labor legislation that has been passed in the last 10 years. You talk about the four freedoms. They passed a bill called the wage-and-hour bill that destroyed the first freedom. What is the first freedom? It is freedom to work for your daily bread without paying tribute.

I am not antagonistic to labor. I have been a laboring man myself. I am not one of these "parlor pinks" that you have here today, who never did a lick of work in their lives. I have worked in the sawmill, on the farm, and in the factory. I have toiled to pay my way through school. I worked my way through college. I know what a workingman has to do. I am telling you that, in my opinion, the best thing we can do for the honest, hard-working, conscientious, patriotic American laboring man is to pass some kind of legislation that will clear up the unfortunate

situation in which the American people find themselves today.

You heard the gentleman from California tell about his farmers having their milk dumped into the gutter. Why? Somebody, perhaps in New York, had ordered a teamsters' strike in California. Some of that trouble is creeping into the South. Do you know, the hardest-working men in America are the farmers of this Nation, especially the cotton farmers. The cotton farmer gets 1 cent an hour for his work for every cent a pound he gets for his lint cotton. He is now working for 34 cents an hour. He must work in the hot sun, toiling from sunup until sundown. He is the hardest-working man in America. I know, for I have been one of them.

The gentleman from Texas [Mr. RAYBURN] talks about letting the other body do it. Now, if you wait for the other body, that lynched my State on a roll-call vote a few months ago, there is no telling how long it will be before you get any labor legislation at all.

This legislation is not perfect; I know that; but I am sure it is more nearly perfect than anything we would get from the other end of the Capitol; and for that reason I am going along with a vast number of Democrats, men on my side of the House, who are going to vote for this bill.

For that reason I wanted to take this time to say that in my humble opinion the best thing that could happen to the American laboring man would be to pass this legislation, or some legislation of this kind, and this is all we have to vote for. If the body at the other end of the Capitol is as wise as the gentleman from Texas seems to think, then, if there are any inconsistencies in the measure, then that other body can straighten them out; but I for one am not willing, under the circumstances, to vote against any legislation at all.

I shall therefore vote against the motion to recommit and vote for the passage of the bill.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

The Clerk read as follows:

SEPARABILITY OF PROVISIONS

SEC. 305. If any provision of this Act or the application of such provision to any person or circumstance is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

Mr. COMBS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COMBS: On page 68, after line 19, add a new section as follows:

"SEC. 306. All provisions of this bill shall terminate on December 31, 1948, unless extended by act of Congress."

The CHAIRMAN. Under the rule, the gentleman from Texas is recognized for 5 minutes in support of his amendment.

Mr. COMBS. Mr. Chairman, I want to read the amendment to the Members again. It is to add a new section:

SEC. 306. All provisions of this bill shall terminate on December 31, 1948, unless extended by act of Congress.

As suggested by the distinguished majority leader the gentleman from Indiana [Mr. HALLECK], there is no time or opportunity now to discuss the provisions of the pending bill. Suffice it to say that I think it contains a number of excellent provisions, and I am in thorough sympathy with the purpose of the framers of the bill to curb certain practices such as sympathy strikes, boycotts, and jurisdictional strikes. I believe also in the principle of mutuality of contract, although I will remark in passing that I think the provisions of the bill on that subject will not accomplish the purpose. I believe in the right of the employer to discuss freely with his employees their mutual problems without, of course, intimidation or coercion. In fact, I think such a practice would lead to a better understanding and better labor relations. There are other provisions that are good, but unfortunately there are certain features of the bill that, in my judgment, are most unwise and even dangerous.

The bill is 68 pages in length and deals with sundry subjects. It not only drastically revises the Wagner Act, but goes much further and amends the Clayton Act of 1914 passed during the administration of President Wilson, and the Norris-LaGuardia Act passed in 1932 under President Hoover. Both of these acts were passed after mature deliberation and after long experience with the evils they sought to correct had demonstrated the necessity for them. There are other provisions of the bill which more extended consideration and study will show seriously affect the right of working people to organize and maintain their unions. In that regard, the bill goes much further than simply curbing the activities of certain labor leaders or powerful labor unions. It seriously restricts unions and workers in their efforts to maintain the integrity of their organizations.

I realize that many of you entertain different views. The purpose of my amendment, therefore, is to treat the pending bill as experimental. I am willing to go along with it on that basis, notwithstanding its many provisions that I regard as unwise, even dangerous. By adopting the amendment we will, in effect, say that we will try this bill and that the Congress accepts its responsibility of continuing its study of labor legislation; that as this bill becomes effective and is put in operation, we will observe its effect with a view of amending or eliminating provisions which prove, in practice, to be unwise or unworkable.

I think the greatest danger of this bill lies in the fact that certain provisions of it will be regarded by the industrial worker as aimed at his organization which he considers the greatest safeguard of his rights as a workman. Thus, he will become the easy prey of the rabble rouser and the Communist agitator; with the result that instead of the bill producing industrial peace it will more likely greatly damage employer-employee relations, which could easily lead to chaos.

During the Seventy-ninth Congress I voted, as many of you did, for one of the most drastic strike-curbing bills ever passed by a legislative assembly in a democratic country. I did so to meet an extreme national emergency and because the bill, by its terms, was of a purely temporary nature. But you are here proposing a very drastic bill—yes, a dangerous bill in many of its provisions as a long range piece of permanent legislation. On that basis and for the reason, among others, so well stated by the distinguished minority leader the gentleman from Texas [Mr. RAYBURN], I cannot support it. But if the House will adopt the amendment offered, it seems to me the overwhelming majority of us can support it.

In conclusion, I wish to make a brief reply to the suggestions offered by the distinguished majority leader the gentleman from Indiana [Mr. HALLECK]. He suggested that since the pending bill incorporates a number of provisions which the President has, in the past, expressed approval of and which the minority leader and many Democrats have on different occasions supported, that we, on this side of the aisle, should support the pending bill. I should like to suggest to the majority leader that we are given no opportunity to vote for the provisions he mentions, since they are incorporated in a single bill containing other provisions which we simply cannot support.

In short, he hands us a rotten apple and demands that we eat all of it in order to get the portion of it that is good. I, for one, cannot swallow that; and I trust you will adopt the amendment. I think it is sound and I think the support that the bill would receive with that in it would be reassurance to all of our people that the Congress means to accept its grave responsibility without partisanship, that we will work out a bill which is just and fair to employer, employee, and the public. That is the only kind of labor law that can ever work successfully in this democratic country.

Mr. RAMEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RAMEY. Mr. Chairman, the debates this week on the floor of the Senate and the floor of the House of Representatives dealt with matters as momentous as any we will be likely to consider during the present session.

I refer in the first instance to the discussion of aid to Greece and Turkey, which is taking place in the Senate. The future of United States policy in foreign affairs will be largely determined by the action to be taken on this measure. Will we as a nation be willing to carry out the Truman doctrine, as it has been called? What is the real aim of the Truman doctrine? What will be the effect of such a foreign policy, not 6 weeks from now, or 6 months from now, but 6 years from now? These are the questions that will be in the minds of many, even as the vote is taken on this crucial issue in the Senate.

No less vital to our national life in coming years will be the fate of the labor legislation passed by the House of Representatives. The action taken on this

measure will make or break our domestic economy during coming months and years. It will decide whether we are to have an honestly free economy, guaranteeing the rights of workers and the business and industrial organizations of which they are a part, or whether we are to have a lopsided system giving favored-son treatment to management, or to labor union officials, at the expense of the individual worker and the general public.

Let us look into the specific provisions of this legislation, H. R. 3020. Although it has been called the Hartley bill, its formal title is the Labor-Management Relations Act of 1947.

The gentleman from New Jersey, Mr. FRED HARTLEY, certainly deserves credit for the thorough hearings he conducted before the bill was completed. He deserves credit for the hard work and long hours he has put into his job as chairman of the House Committee on Education and Labor. However, the bill itself is an amalgamation of ideas. It represents the best thinking of the committee as a whole. It deserves the bipartisan support it received by the Members of the House of Representatives.

Early in March, a witness charged that the members of this committee were not qualified to write a fair labor bill. He compared the members to 25 blacksmiths, who, he said, would be a poor crowd to deal with medical and health problems. He inferred that the only people who could write a fair labor bill would be labor organizers. He indicated that the committee members were "blacksmiths" because they were not experts in labor relations.

The gentleman from New Jersey [Mr. HARTLEY] said he thought the inference was clear.

The witness was not satisfied, however. He blazed back at the committee:

> The inference is that men who know nothing about a proposition shouldn't deal with it. That's not an inference. That's a statement.

This same witness was bitterly opposed to any change whatever in the National Labor Relations Act. Now, I cannot help wondering what was so different about the Labor Committee who wrote that act and the one which has worked on the present act.

Was the committee at that time composed of experts in labor relations? No. They were no more expert than are our present legislators. However, they were qualified because they were serious students of the problems of Government. They had been elected by the people to represent them. Our present legislators are serious students and they, too, have been elected by the people as their chosen Representatives. The men who wrote the National Labor Relations Act back in 1935 were qualified because they were intelligent men who were aware of what was going on around them, as are our present legislators. They were qualified because they passed a bill which answered the needs of that period back in 1935 as the majority of voters in the country understood them.

Our present legislators wrote a bill which answers the needs of the present as the majority of voters in the country now understand them.

This bill will be—and, in fact, already has been—criticized by a few extremists in management and by a few extremists who make their living under the name of labor, but who exploit, rather than protect, the laboring man. The majority of actual workers, and the sound, fair-minded businessmen have indicated their approval of the bill.

The present bill is a sincere and, on the whole, I believe, successful attempt to prescribe fair and equitable rules of conduct to be observed by labor and management in their relations with one another which affect commerce. This is the actual language of the bill itself. This is the need of the present and the period we are now entering—a time which must answer humanity's plea for high production to replace the devastating losses of war throughout the world.

In addition the bill is designed to protect the rights of individual workers in their relations with labor organizations whose activities affect commerce. This is the language of the bill. This is the need we face today, when individual freedom is threatened all over the world.

The bill aims, also, to recognize the paramount public interest in labor disputes affecting commerce which endanger the public health, safety, or welfare. This is again the language of the bill. It is the reiteration of a principle as old as the Constitution itself.

The fact that the National Labor Relations Board is to be supplanted by a new Labor-Management Relations Board is not an indictment of the men who have served as members of the Board in the past. It signifies the realization that the National Labor Relations Board was given an impossible job in the first place. As it operated, it had to act as prosecutor, judge, jury, and executioner. For years I have pointed to this defect in the terms of the National Labor Relations Act. I have objected to the practice of the Board which admitted hearsay evidence.

Both of these legal monstrosities are eliminated under the present legislation.

The question today is whether or not a man may have a right, as an individual, under law, to work at the job of his choice, with the representatives of his choice carrying out the principles of his choice.

If we cannot rightfully legislate to make these guaranties a reality, we are no longer a free nation under God. We still believe in the rule of the majority. There are those among us who do not share our faith in this great principle. From them we will hear weeping and wailing and gnashing of teeth. But we may rest assured that in this great land we still have government of the people, by the people, and for the people.

God grant us the strength to work together in the face of those who would rob us of that government in the perilous years we are facing.

LABOR'S NEW BILL OF RIGHTS UNDER THE HARTLEY BILL, H. R. 3020

1. The right to join with his fellow workers to select as their bargaining agent the union that they want, not the union that is forced upon them. (Secs. 7 (a), 8 (a) (1), 8 (a) 3, 8 (b) (1), 9 (c) (2), 9 (f) (2), 9 (f) (4), 9 (f) (5).)

2. The right to get a job without joining any union. (Secs. 8 (a) (3), 8 (d) (4).)

3. The right to vote by secret ballot in a fair and free election on whether his employer and a union can make him join the union to keep his job. (Secs. 8 (d) (4), 9 (g).)

4. The right to require the union that is his bargaining agent to represent him without discriminating against him in any way or for any reason, even if he is not a member of the union. (Sec. 8 (b) (2).)

5. The right with his fellow employees to make demands of their own and to bargain about them through the leaders of their own local union without dictation by national and international officers and representatives and without regard to the demands of other employees upon other employers. (Sec. 9 (f) (1).)

6. The right to keep on working and getting his pay, in spite of sympathy strikes, jurisdictional disputes, illegal boycotts, and other disputes that do not involve him and his union or his employer. (Sec. 12 (a) (3) (A).)

7. The right to know what he is striking about before he is called out on strike, and to vote by secret ballot in a free and fair election on whether to strike or not after he has been told what his employer has offered him. (Sec. 2 (11).)

8. The right to express his opinion concerning union policies, union officers, and candidates for union office, and to make and file charges against his employer, the union, or union officers, without suffering any penalty or discrimination. (Secs. 8 (a) (4), 8 (c) (5).)

9. The right to vote by secret ballot, without fear, in free and fair elections, on any matter of union policy—how much dues he shall pay; what assessments the union can make him pay; what the union can spend the money for. (Sec. 8 (c) (8).)

10. The right to vote by secret ballot in free and fair elections for his own choice of union officers. (Sec. 8 (c) (8).)

11. The right to know how much money his union has, how much it pays its officers, and how much of the union's money the officers use for their expenses. (Sec. 8 (c) (10), 303.)

12. The right to refuse to pay the union for any kind of insurance that he does not want. (Sec. 8 (c) (3).)

13. The right to stay a member of a union, without being suspended or expelled, except for (1) not paying dues, (2) disclosing confidential information of the union, (3) violating the union's contract, (4) being a Communist or fellow traveler, (5) being convicted of a felony, that is, of a serious crime, (6) engaging in disreputable conduct that reflects on the union. (Sec. 8 (c) (6).)

14. The right to be free of threats to his family for doing things in connection with union matters that an employer or a union doesn't like. (Secs. 8 (a) (1), 8 (b) (1), 12 (a) (1).)

15. The right to settle his own grievances with his employer. (Sec. 9 (a).)

16. The right, without fear of reprisal, to support any candidate for public office that he chooses and to decide for himself whether or not his money will be spent for political purposes. (Sec. 8 (c) (5).)

17. The right to go to and from work without being threatened or molested. (Sec. 12 (a) (1).)

18. The right to have a fair hearing, before an impartial board, without cost to himself, whenever he believes that any employer or any union is depriving him of these rights. (Sec. 10.)

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. COMBS].

The question was taken; and on a division (demanded by Mr. COMBS) there were—ayes 83, noes 205.

So the amendment was rejected.

Mr. HARTLEY. Mr. Chairman, I ask unanimous consent to correct a typographical error appearing at the end of line 9 on page 43 by substituting the word "or" for the word "of."

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BROWN of Ohio, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 3020) to prescribe fair and equitable rules of conduct to be observed by labor and management in their relations with one another which affect commerce, to protect the rights of individual workers in their relations with labor organizations whose activities affect commerce, to recognize the paramount public interest in labor disputes affecting commerce that endanger the public health, safety, or welfare, and for other purposes, pursuant to House Resolution 178, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. KELLEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. KELLEY. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. KELLEY moves that H. R. 3020 be recommitted to the Committee on Education and Labor with instruction that House Joint Resolution 83 be reported back forthwith providing for a complete and comprehensive study of all labor-management relations.

Mr. HARTLEY. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. LESINSKI. On that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 122, nays 291, not voting 19, as follows:

[Roll No. 35]

YEAS—122

Albert	Bishop	Buchanan
Angell	Blatnik	Buckley
Bates, Ky.	Bloom	Butler
Battle	Boggs, La.	Byrne, N. Y.
Beckworth	Brophy	Canfield
Cannon	Hendricks	Norman
Carroll	Holifield	Norton
Celler	Huber	O'Brien
Clark	Jackson, Wash.	O'Toole
Combs	Javits	Patman
Cooley	Jenkins, Pa.	Patterson
Crosser	Johnson, Okla.	Peterson
D'Alesandro	Jones, Wash.	Pfeifer
Dawson, Ill.	Karsten, Mo.	Philbin
Deane	Kee	Phillips, Tenn.
Delaney	Kefauver	Powell
Dingell	Kelley	Price, Ill.
Donohue	Kennedy	Priest
Douglas	Keogh	Rabin
Durham	King	Rayburn
Eberharter	Kirwan	Rayfiel
Elsaesser	Klein	Redden
Engel, Mich.	Lane	Rogers, Fla.
Fenton	Lanham	Rooney
Flannagan	Lemke	Sabath
Fogarty	Lesinski	Sadowski
Folger	Lodge	Scoblick
Foote	Lusk	Sheppard
Forand	Lyle	Sikes
Fulton	Lynch	Smathers
Gordon	McCormack	Snyder
Gorski	Madden	Somers
Granger	Mansfield, Mont.	Spence
Hagen		Stigler
Hardy	Marcantonio	Thomas, Tex.
Harless, Ariz.	Meade, Ky.	Thomason
Hart	Miller, Calif.	Tollefson
Havenner	Monroney	Trimble
Hays	Morgan	Twyman
Hedrick	Morris	Walter
Heffernan	Murdock	Welch

NAYS—291

Abernethy	Crawford	Hope
Allen, Calif.	Crow	Horan
Allen, Ill.	Cunningham	Howell
Allen, La.	Curtis	Jackson, Calif.
Almond	Dague	Jarman
Andersen, H. Carl	Davis, Ga.	Jenison
	Dawson, Utah	Jenkins, Ohio
Anderson, Calif.	Devitt	Jennings
Andresen, August H.	D'Ewart	Jensen
	Dirksen	Johnson, Calif.
Andrews, Ala.	Dolliver	Johnson, Ill.
Andrews, N. Y.	Domengeaux	Johnson, Ind.
Arends	Dondero	Johnson, Tex.
Arnold	Dorn	Jones, Ala.
Auchincloss	Doughton	Jones, N. C.
Bakewell	Drewry	Jones, Ohio
Banta	Eaton	Jonkman
Barden	Elliott	Judd
Barrett	Ellis	Kearney
Bates, Mass.	Ellsworth	Kearns
Beall	Elston	Keating
Bell	Engle, Calif.	Keefe
Bender	Evins	Kerr
Bennett, Mich.	Fallon	Kersten, Wis.
Bennett, Mo.	Fellows	Kilburn
Blackney	Fernandez	Kilday
Boggs, Del.	Fisher	Knutson
Bolton	Fletcher	Kunkel
Bonner	Gallagher	Landis
Boykin	Gamble	Larcade
Bradley, Calif.	Gary	Latham
Bradley, Mich.	Gathings	Lea
Bramblett	Gavin	LeCompte
Brehm	Gearhart	LeFevre
Brooks	Gillette	Lewis
Brown, Ga.	Gillie	Love
Brown, Ohio	Goff	Lucas
Bryson	Goodwin	McConnell
Buck	Gore	McCowen
Buffett	Gossett	McDonough
Bulwinkle	Graham	McDowell
Burke	Grant, Ala.	McGarvey
Burleson	Grant, Ind.	McGregor
Busbey	Gregory	McMahon
Byrnes, Wis.	Griffiths	McMillan, S. C.
Camp	Gross	McMillen, Ill.
Carson	Gwinn, N. Y.	MacKinnon
Case, N. J.	Gwynne, Iowa	Macy
Case, S. Dak.	Hale	Mahon
Chadwick	Hall, Edwin Arthur	Maloney
Chapman		Manasco
Chelf	Hall, Leonard W.	Martin, Iowa
Chenoweth		Mason
Chiperfield	Halleck	Mathews
Church	Hand	Meade, Md.
Clason	Harness, Ind.	Merrow
Clevenger	Harris	Meyer
Clippinger	Harrison	Michener
Coffin	Hartley	Miller, Conn.
Cole, Kans.	Hébert	Miller, Md.
Cole, Mo.	Herter	Miller, Nebr.
Cole, N. Y.	Heselton	Mills
Colmer	Hess	Mitchell
Cooper	Hinshaw	Morton
Corbett	Hobbs	Muhlenberg
Cotton	Hoeven	Mundt
Coudert	Hoffman	Murray, Tenn.
Courtney	Holmes	Murray, Wis.
Nixon	Robsion	Stratton
Nodar	Rockwell	Sundstrom
Norblad	Rogers, Mass.	Taber
Norrell	Rohrbough	Talle
O'Hara	Ross	Taylor
O'Konski	Russell	Teague
Owens	Sadlak	Thomas, N. J.
Passman	St. George	Tibbott
Peden	Sanborn	Towe
Phillips, Calif.	Sarbacher	Vail
Pickett	Sasscer	Van Zandt
Ploeser	Schwabe, Mo.	Vinson
Plumley	Schwabe, Okla.	Vorys
Poage	Scott, Hardie	Vursell
Potts	Scott, Hugh D., Jr.	Wadsworth
Preston		Weichel
Price, Fla.	Scrivner	West
Rains	Seely-Brown	Wheeler
Ramey	Shafer	Whitten
Rankin	Short	Whittington
Reed, Ill.	Simpson, Ill.	Wigglesworth
Reed, N. Y.	Simpson, Pa.	Williams
Rees	Smith, Kans.	Wilson, Ind.
Reeves	Smith, Maine	Wilson, Tex.
Rich	Smith, Ohio	Winstead
Richards	Smith, Wis.	Wolcott
Riehlman	Springer	Wolverton
Riley	Stanley	Woodruff
Rivers	Stefan	Youngblood
Rizley	Stevenson	Zimmerman
Robertson	Stockman	

NOT VOTING—19

Bland	Gerlach	Morrison
Clements	Gifford	Pace
Cox	Hill	Poulson
Cravens	Hull	Smith, Va.
Davis, Tenn.	Kean	Wood
Feighan	Mansfield, Tex.	Worley
Fuller		

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Clements for, with Mr. Pace against.
Mr. Feighan for, with Mr. Cox against.
Mr. Hull for, with Mr. Kean against.
Mr. Poulson for, with Mr. Gifford against.

General pairs until further notice:

Mr. Hill with Mr. Morrison.
Mr. Fuller with Mr. Wood.

Mr. MCDONOUGH changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. HARTLEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 308, nays 107, not voting 17, as follows:

[Roll No. 36]

YEAS—308

Abernethy	Bolton	Clason
Allen, Calif.	Bonner	Clevenger
Allen, Ill.	Boykin	Clippinger
Allen, La.	Bradley, Calif.	Coffin
Almond	Bradley, Mich.	Cole, Kans.
Andersen, H. Carl	Bramblett	Cole, Mo.
	Brehm	Cole, N. Y.
Anderson, Calif.	Brooks	Colmer
Andresen, August H	Brown, Ga.	Cooper
	Brown, Ohio	Corbett
Andrews, Ala.	Bryson	Cotton
Andrews, N. Y.	Buck	Coudert
Arends	Buffett	Courtney
Arnold	Bulwinkle	Cravens
Auchincloss	Burke	Crawford
Bakewell	Burleson	Crow
Banta	Busbey	Cunningham
Barden	Byrnes, Wis.	Curtis
Barrett	Camp	Dague
Bates, Mass.	Carson	Davis, Ga.
Battle	Case, N. J.	Davis, Tenn.
Beall	Case, S. Dak.	Dawson, Utah
Beckworth	Chadwick	Deane
Bell	Chapman	Devitt
Bender	Chelf	D'Ewart
Bennett, Mich.	Chenoweth	Dirksen
Bennett, Mo	Chiperfield	Dolliver
Blackney	Church	Domengeaux
Boggs, Del.	Clark	Dondero

Dorn	Jonkman	Redden
Doughton	Judd	Reed, Ill.
Drewry	Kearney	Reed, N. Y.
Durham	Kearns	Rees
Eaton	Keating	Reeves
Elliott	Keefe	Rich
Ellis	Kerr	Richards
Ellsworth	Kersten, Wis.	Riehlman
Elston	Kilburn	Riley
Engle, Calif.	Kilday	Rivers
Evins	Knutson	Rizley
Fallon	Kunkel	Robertson
Fellows	Landis	Robsion
Fernandez	Larcade	Rockwell
Fisher	Latham	Rogers, Fla.
Fletcher	Lea	Rogers, Mass.
Foote	LeCompte	Rohrbough
Fulton	LeFevre	Ross
Gallagher	Lewis	Sadlak
Gamble	Lodge	St. George
Gary	Love	Sanborn
Gathings	Lucas	Sarbacher
Gavin	Lusk	Sasscer
Gearhart	Lyle	Schwabe, Mo.
Gillette	McConnell	Schwabe, Okla.
Gillie	McCowen	Scott, Hardie
Goff	McDonough	Scott,
Goodwin	McDowell	Hugh D., Jr.
Gore	McGarvey	Scrivner
Gossett	McGregor	Seely-Brown
Graham	McMahon	Shafer
Grant, Ala.	McMillan, S. C.	Short
Grant, Ind.	McMillen, Ill.	Sikes
Gregory	MacKinnon	Simpson, Ill.
Griffiths	Macy	Simpson, Pa.
Gross	Mahon	Smith, Kans.
Gwinn, N. Y.	Maloney	Smith, Maine
Gwynne, Iowa	Martin, Iowa	Smith, Wis.
Hagen	Mason	Springer
Hale	Mathews	Stanley
Hall,	Meade, Md.	Stefan
Edwin Arthur	Merrow	Stevenson
Hall,	Meyer	Stockman
Leonard W.	Michener	Stratton
Halleck	Miller, Conn.	Sundstrom
Hand	Miller, Md.	Taber
Hardy	Miller, Nebr.	Talle
Harness, Ind.	Mills	Taylor
Harris	Mitchell	Teague
Harrison	Morton	Thomas, N. J.
Hartley	Muhlenberg	Tibbott
Hébert	Mundt	Towe
Hendricks	Murray, Tenn.	Trimble
Herter	Murray, Wis.	Vail
Heselton	Nixon	Van Zandt
Hess	Nodar	Vinson
Hinshaw	Norblad	Vorys
Hobbs	Norman	Vursell
Hoeven	Norrell	Wadsworth
Hoffman	O'Hara	Weichel
Holmes	O'Konski	West
Hope	Owens	Wheeler
Horan	Passman	Whitten
Howell	Patman	Whittington
Jackson, Calif.	Peden	Wigglesworth
Jarman	Peterson	Williams
Jenison	Phillips, Calif.	Wilson, Ind.
Jenkins, Ohio	Ploeser	Wilson, Tex.
Jennings	Plumley	Winstead
Jensen	Poage	Wolcott
Johnson, Calif.	Potts	Wolverton
Johnson, Ill.	Preston	Woodruff
Johnson, Ind.	Price, Fla.	Youngblood
Johnson, Tex.	Priest	Zimmerman
Jones, N. C.	Ramey	
Jones, Ohio	Rankin	

NAYS—107

Albert	Fenton	King
Angell	Flannagan	Kirwan
Bates, Ky.	Fogarty	Klein
Bishop	Folger	Lane
Blatnik	Forand	Lanham
Bloom	Gordon	Lemke
Boggs, La.	Gorski	Lesinski
Brophy	Granger	Lynch
Buchanan	Harless, Ariz.	McCormack
Buckley	Hart	Madden
Butler	Havenner	Manasco
Byrne, N. Y.	Hays	Mansfield,
Canfield	Hedrick	Mont.
Cannon	Heffernan	Marcantonio
Carroll	Holifield	Meade, Ky.
Celler	Huber	Miller, Calif.
Combs	Jackson, Wash.	Monroney
Cooley	Javits	Morgan
Crosser	Jenkins, Pa.	Morris
D'Alesandro	Johnson, Okla.	Murdock
Dawson, Ill.	Jones, Ala.	Norton
Delaney	Jones, Wash.	O'Brien
Dingell	Karsten, Mo.	O'Toole
Donohue	Kee	Patterson
Douglas	Kefauver	Pfeifer
Eberharter	Kelley	Philbin
Elsaesser	Kennedy	Phillips, Tenn.
Engel, Mich.	Keogh	Pickett
Powell	Sabath	Spence
Price, Ill.	Sadowski	Stigler
Rabin	Scoblick	Thomas, Tex.
Rains	Sheppard	Thomason
Rayburn	Smathers	Tollefson
Rayfiel	Smith, Ohio	Twyman
Rooney	Snyder	Walter
Russell	Somers	Welch

NOT VOTING—17

Bland	Gifford	Pace
Clements	Hill	Poulson
Cox	Hull	Smith, Va.
Feighan	Kean	Wood
Fuller	Mansfield, Tex.	Worley
Gerlach	Morrison	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Pace for, with Mr. Clements against.
Mr. Cox for, with Mr. Feighan against.
Mr. Kean for, with Mr. Hull against.
Mr. Gifford for, with Mr. Poulson against.

Additional general pairs:

Mr. Fuller with Mr. Wood.
Mr. Hill with Mr. Morrison.

Mr. SMATHERS changed his vote from "aye" to "no."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SOMERS asked and was given permission to extend his remarks in the RECORD.

Mr. HAVENNER asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. McCONNELL asked and was given permission to extend his remarks in the RECORD and include remarks of EDWARD MARTIN, United States Senator from Pennsylvania.

Mr. DIRKSEN asked and was given permission to extend his remarks in the RECORD.

GENERAL LEAVE TO EXTEND REMARKS

Mr. HARTLEY. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks in the RECORD on the legislation just passed.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

EXTENSION OF REMARKS

Mr. ROHRBOUGH asked and was given permission to extend his remarks in the RECORD in two instances, in one to include an essay and in the other to include a letter.

Mr. McDONOUGH asked and was given permission to extend his remarks in the Appendix of the RECORD.

ADJOURNMENT OVER

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

COMMITTEE ON PUBLIC LANDS

Mr. RIZLEY, from the Committee on Rules, reported the following privileged resolution (H. Res. 93, Rept. 275), which was referred to the House Calendar and ordered to be printed:

Resolved, That the Committee on Public Lands (now comprised of the six former Committees on Insular Affairs, Territories, Public Lands, Irrigation and Reclamation, Mines and Mining, and Indian Affairs) may make investigations into any matter within its jurisdiction. For the purpose of making such investigations the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within or outside the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

COMMITTEE ON ARMED SERVICES

Mr. RIZLEY, from the Committee on Rules, reported the following privileged resolution (H. Res. 141, Rept. No. 276), which was referred to the House Calendar and ordered to be printed:

Resolved, That the Committee on Armed Services, acting as a whole or by subcommittee, is authorized and directed to conduct thorough studies and investigations relating to matters coming within the jurisdiction of such committee under rule XI (1) (c) of the Rules of the House of Representatives, and for such purposes the said committee or any subcommittee thereof is authorized to sit and act during the present session of Congress at such times and places, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

The committee shall report to the House of Representatives during the present session of Congress the results of its studies and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. RIZLEY, from the Committee on Rules, reported the following privileged resolution (H. Res. 153, Rept. No. 277), which was referred to the House Calendar and ordered to be printed:

Resolved, That, effective from January 3, 1947, the Committee on Interstate and Foreign Commerce, or any duly authorized subcommittee thereof, is authorized to continue the investigation begun under authority of House Resolution 318 of the Seventy-ninth Congress, and for such purposes shall have the same power and authority as that conferred by such House Resolution 318. The committee may from time to time make such preliminary reports to the House as it deems advisable; and shall, during the present Congress, report to the House the results of its investigation, together with such recommendations as it deems advisable. Any report submitted when the House is not in session shall be filed with the Clerk of the House.

RELIEF FOR PEOPLE OF COUNTRIES DEVASTATED BY WAR

Mr. RIZLEY, from the Committee on Rules, reported the following privileged resolution (H. Res. 187, Rept. No. 278), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 153, providing for relief assistance to the people of countries devastated by war. That after general debate, which shall be confined to the joint resolution and continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the joint resolution for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

PROGRAM FOR NEXT WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I have requested this time to announce the program for next week.

On Monday we expect to take up the conference report on the farm-labor-supply program, House Report 270. In addition to that I understand there are three resolutions from the Rules Committee granting subpena power to three of the regular committees of the House, namely, the Committee on Public Lands, the Committee on Interstate and Foreign Commerce, and the Committee on the Armed Services. We expect to take those up on Monday also.

On Tuesday there are two citations from the Committee on Un-American Activities that will be taken up first and when those are disposed of we will proceed to general debate on House Joint Resolution 153, which is the so-called foreign relief bill from the Foreign Affairs Committee. It is expected that consideration of that measure will continue into Wednesday.

On Thursday we expect to take up the Interior Department appropriation bill, continuing that through Thursday and Friday in the hope consideration may be completed by Friday night. If it is not, we will continue on through Saturday to completion of that bill.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

APRIL 17, 1947.

The Honorable JOSEPH W. MARTIN, Jr.,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: Because of the pressure of work on other committees, I find myself unable to give to the extremely important work of the Joint Committee on the Economic Report the time and attention and study it deserves. Therefore, I feel that in all fairness I must submit my resignation from membership on that committee.

Respectfully yours,

WALTER H. JUDD.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

APPOINTMENT TO COMMITTEE

The SPEAKER. Pursuant to the provisions of section 5, Public Law 304, Seventy-ninth Congress, the Chair appoints as member of the Joint Committee on the Economic Report, to fill the vacancy thereon, the gentleman from Massachusetts [Mr. HERTER].

PROPOSED TURKISH LOAN

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, 2 days ago, on Tuesday, I raised the question of whether or not the Turkish Government is in a position to lend us money. I pointed out that their financial position in respect to their national debt, to their foreign exchange holdings, to the Nazi assets and the looted Nazi gold that they now hold is considerably better than our national financial position. I also pointed out that the State Department has asked us to take from the current income of the American taxpayer and give to the Turkish Government, in order that its current income shall be adequate for its armed forces.

This whole Turkish business is a perfect example of the wretched, miserable results of the Truman abandonment of the United Nations. Of course, the fact that the destruction of the United Nations by our State Department will cost the American taxpayers ten to fifteen billions of dollars a year is of little concern to the State Department bureaucrats.

Mr. Speaker, on Monday of this week, I pointed out that this Greek-Turkish military bill is in effect nothing but an outright military alliance with the present dictatorial Government of Turkey. I pointed out that our State Department, in violation of our commitments to the United Nations, is deliberately undertaking unilateral action to guarantee continued exclusive Turkish armed control of the Dardanelles. We, of course, are asked to undertake this military alliance with the Turkish Government in complete violation and disregard to our pledges to the United Nations. It is a dishonorable proposal, a hypocritical proposal, a disastrous proposal, because it in the end, if applied throughout the world, will mean the bankruptcy of America. It is a proposal without rhyme or reason.

Mr. Speaker, since the House is expected by the President to vote for this bill I think that the House should consider whether or not when we vote for a military alliance with Turkey, we should inquire whether the present Turkish Government is a reliable ally. A couple of weeks ago, while on the House floor, I suggested that the present Turkish Government will always and invariably sell out to the highest bidder. The Turkish Government, in my opinion, has no intention of fighting a war or becoming involved in a war with Russia, but it does intend to make a sucker out of us, just as it made a sucker out of the British—and indeed of our Government during the last war.

Perhaps we could see, Mr. Speaker, what the future looks like if we take the trouble and the time to look at the past. In brief, let us see what the record demonstrates about the reliability of the present Turkish Government. Mr. Speaker, I have taken the time to study the secret documents which the State Department later released to the newspapers. In those documents, I find that on May 12, 1939, the present Turkish Government concluded an agreement with England for mutual assistance in case of aggressive war in the Mediterranean. Take note that the Turkish Government deliberately concluded an agreement for mutual assistance in case of war with the British. Now, when in June of 1940, the Italians declared war on Great Britain and France, Great Britain asked her sworn ally, Turkey, to implement its alliance. What happened? Well, everybody knows what happened. The Turkish Government refused to honor its sworn agreement. They refused to act, but they didn't stop at that point, Mr. Speaker. The very next month, in July of 1940, the Turkish Government signed a commercial agreement with Nazi Germany. Thus began the traitorous, but profitable, alliances of the Turkish Government with Nazi Germany. In 1941, the Turks and the Nazis signed a 10-year friendship act. In October 1941 the Turks signed a commercial agreement with the Nazis, which incidentally provided that tens of thousands of tons of essential chrome would be delivered to Germany. The Germans in turn would send steel and raw materials. Turkey and the Nazis signed another commercial agreement in June 1942. In September 1942, Turkey announced that it was going to send more than one-half of its chrome to the Krupp munitions plant. In return, Germany would arm Turkey. In April of 1943, another agreement was signed.

Now, Mr. Speaker, our charming gentlemen at our State Department know all this. They know that the Turks broke their sworn agreement. They know that the Turks went further—they deliberately and consciously assisted to the very best of their ability the Nazis.

All of this time, Mr. Speaker, the British, the Russians, and we were attempting to get the Turkish Government to cease giving aid to Germany. As a matter of fact, at the Teheran Conference the Allies agreed that Turkey should enter the war, and President Roosevelt, Prime Minister Churchill, and the President of Turkey had a conference at Cairo on December 4, 5, and 6 of 1943, to discuss the entire military and political situation. And what came of that conference, Mr. Speaker? Absolutely nothing. Exports to Germany from Turkey continued. Turkey refused to enter the war, and in February of 1944 the Anglo-Turkish military staff talks were suspended.

In May of 1944 Winston Churchill—that great and glorious advocate of the aid to Turkey today—denounced in the strongest possible language the Turkish Government. Winston Churchill, the hoary, ancient, imperialist advocate of colonial exploitation, who today is telling us that we should take from the American taxpayer and give to the Turkish Government—this same Winston Churchill violently and vigorously attacked the Turkish Government for its entire policy during the war on May 24, 1944, in the House of Commons. Winston Churchill had personal, direct experience with the present traitorous Turkish Government, but now he tells us what we should do with the American taxpayers' money. In June 1944 Anthony Eden, then Foreign Minister of the British Government, stated in the House of Commons that the British Government was profoundly discouraged by the fact that the Turkish Government allowed Germany's warships to pass through the Dardanelles, thus permitting the Germans to shift their naval strength from the Black Sea to the Mediterranean in whatever way they chose. Now, Mr. Speaker, I ask you and I ask every Member of the House what is there in the record which persuades anyone that the present Turkish Government is reliable?

We could go back a thousand years and demonstrate the treachery of the Turks. The history of the Ottoman Empire is a history absolutely without parallel in double-dealing. We have before us the deliberate dishonorable violation of its sworn word by the Turkish Government in the past war. We know from the facts that this Government is unreliable. How in God's name can any respectable official advocate that we should form a military alliance with such a government? The mere fact that the Turks stole from us during the war; the mere fact that they still hold millions of dollars of assets and looted gold which is the rightful property of the American taxpayer; the mere fact that for a thousand years the Turks have persecuted the Christians and Jews; the mere fact that under the Vorlik law, the Turkish Government drove the Jewish people in Turkey almost out of existence—none of these things seem to have made any impression on our State Department. In their unlimited arrogance, the gentlemen of the State Department assume in their superior manner that anything they choose to do will have a rubber stamp approval from this Congress. Mr. Speaker, so far as I am concerned, everything that the State Department proposes is going to get a microscopic examination, both as to the intent and as to the facts on which their proposed policy is based. The facts, Mr. Speaker, about Turkey demonstrate that it is an unreliable, irresponsible, dishonorable government. We will be committing a crime against the American taxpayer if we vote it in behalf of this dictatorial government.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. BULWINKLE, for 2 weeks, on account of illness.

To Mr. JOHNSON of Oklahoma, for 1 week, on account of official business.

To Mr. SMITH of Virginia (at the request of Mr. DREWRY), for the remainder of the week, on account of illness.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 46 minutes p. m.) the House, under its previous order, adjourned until Monday, April 21, 1947, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

560. A letter from the Secretary of the Navy, transmitting a report of the proposed transfer of various equipment to the State Historical Society of North Dakota, Bismarck, N. Dak.; the Port of New York Authority; Anderson Memorial Post, VFW, Anderson, S. C.; American Museum of Natural History, New York, N. Y.; to the Committee on Armed Services.

561. A letter from the Attorney General, transmitting a report reciting the facts and pertinent provisions of law in the cases of 151 individuals whose deportation has been suspended for more than 6 months under the authority vested in the Attorney General, together with a statement of the reason for such suspension; to the Committee on the Judiciary.

562. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated May 24, 1946, submitting a report, together with accompanying papers and illustrations, on a review of report on the Genesee River, with respect to flood protection in the vicinity of Dansville, N. Y., requested by a resolution of the Committee on Flood Control, House of Representatives, adopted on November 10, 1943 (H. Doc. No. 206); to the Committee on Public Works and ordered to be printed, with two illustrations.

563. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 18, 1946, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of James River, Va., authorized by the Flood Control Act approved on June 22, 1936, and section 6 of the River and Harbor Act approved on August 30, 1935 (H. Doc. No. 207); to the Committee on Public Works and ordered to be printed, with an illustration.

564. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 29, 1946, submitting an interim report, together with accompanying papers and illustrations, on a preliminary examination and survey of Salinas River, Calif., authorized by the Flood Control Acts approved on June 22, 1936, and on August 28, 1937 (H. Doc. No. 208); to the Committee on Public Works and ordered to be printed, with four illustrations.

565. A letter from the Secretary of Agriculture, transmitting a draft of a proposed bill to provide a Federal charter for the Commodity Credit Corporation; to the Committee on Banking and Currency.

566. A letter from the Secretary of the Treasury, transmitting a report for the fiscal year ending June 30, 1946, of the Exchange Stabilization Fund, including a summary of operations of the fund from its establishment to June 30, 1946; to the Committee on Banking and Currency.

567. A letter from the Secretary, Department of Agriculture, transmitting a report on the progress of the liquidation of Federal rural rehabilitation projects; to the Committee on Agriculture.

568. A letter from the Administrator, Federal Security Agency, transmitting a draft of a proposed bill to amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for seizure of foods, drugs, devices, and cosmetics that become adulterated or misbranded while held for sale after interstate shipment, and for other purposes; to the Committee on Interstate and Foreign Commerce.

569. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill to authorize the Coast Guard to operate and maintain ocean stations; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMAS of New Jersey: Committee on Un-American Activities. Report on American Youth for Democracy (Rept. No. 271). Referred to the Committee of the Whole House on the State of the Union.

Mr. GRAHAM: Committee on the Judiciary. H. R. 2237. A bill to correct an error in section 342 (b) (8) of the Nationality Act of 1940, as amended; with amendment (Rept. No. 272). Referred to the Committee of the Whole House on the State of the Union.

Mr. GRAHAM: Committee on the Judiciary. H. R. 2238. A bill to amend section 327 (h) of the Nationality Act of 1940; with amendment (Rept. No. 273). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOLCOTT: Committee on Banking and Currency. H. R. 2780. A bill to amend section 502 (a) of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes"; with amendments (Rept. No. 274). Referred to the Committee of the Whole House on the State of the Union.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 93. Resolution to authorize the Committee on Public Lands to make investigations into any matter within its jurisdiction, and for other purposes (Rept. No. 275). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 141. Resolution authorizing and directing the Committee on Armed Services to conduct thorough studies and investigations relating to matters coming within the jurisdiction of such committee under rule XI (1) (c) of the Rules of the House of Representatives (Rept. No. 276). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 153. Resolution to continue the authority of the Committee on Interstate and Foreign Commerce to investigate the transportation situation (Rept. No. 277). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 187. Resolution providing for the consideration of House Joint Resolution 153, providing for relief assistance to the people of countries devastated by war; without amendment (Rept. No. 278). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOYKIN:

H. R. 3096. A bill to amend the Civil Aeronautics Act of 1938, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BRYSON:

H. R. 3097. A bill to amend the Social Security Act, as amended, so as to change the age for old-age and survivor benefits from 65 to 62; to the Committee on Ways and Means.

By Mr. GOSSETT:

H. R. 3098. A bill to prohibit teaching, in schools, in or by means of any language other than English, except the teaching of a foreign language; to the Committee on Education and Labor.

By Mr. VAN ZANDT:

H. R. 3099. A bill to provide for the retirement with pay of officers and enlisted personnel of the National Guard and Reserve Corps of the Army of the United States, the United States Naval and Marine Corps Reserve, and the United States Coast Guard Reserve; to the Committee on Armed Services.

By Mrs. DOUGLAS:

H. R. 3100. A bill to continue rent control until June 30, 1948; to the Committee on Banking and Currency.

By Mr. KNUTSON:

H. R. 3101. A bill to extend until June 30, 1949, the period of time during which persons may serve in certain executive departments and agencies without being prohibited from acting as counsel, agent, or attorney for prosecuting claims against the United States by reason of having so served; to the Committee on Ways and Means.

By Mr. YOUNGBLOOD:

H. R. 3102. A bill to amend the act of July 6, 1945, relating to the classification and compensation of employees of the postal service, so as to extend to supervisors the benefit of promotions based on faithful and meritorious service; to the Committee on Post Office and Civil Service.

By Mr. PETERSON:

H. R. 3103. A bill to provide equitable relief to contractors supplying dairy products to the armed forces and Veterans' Administration; to the Committee on the Judiciary.

By Mr. ALLEN of California:

H. R. 3104. A bill to authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation school program of elementary and secondary schools which are both tax-supported and publicly controlled, and in reducing the inequalities of educational opportunities through public elementary and public secondary schools, for the general welfare, and for other purposes; to the Committee on Education and Labor.

By Mr. POWELL:

H. R. 3105. A bill to prohibit discrimination in employment because of race, religion, color, national origin, or ancestry; to the Committee on Education and Labor.

By Mr. WELCH:

H. R. 3106. A bill to reenact and amend the organic act of the United States Geological Survey by incorporating therein substantive provisions confirming the exercise of long-continued duties and functions and by redefining their geographic scope; to the Committee on Public Lands.

H. R. 3107. A bill to provide for the disposal of materials or resources on the public lands of the United States; to the Committee on Public Lands.

H. R. 3108. A bill to incorporate the Virgin Islands Corporation, and for other purposes; to the Committee on Public Works.

By Mr. AUGUST H. ANDRESEN:

H. R. 3109. A bill to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the organization of Minnesota as a Territory of the United States; to the Committee on Banking and Currency.

By Mr. ROBERTSON:

H. R. 3110. A bill providing for the per capita payment of certain moneys appropriated in settlement of certain claims of the Indians of the Fort Berthold Indian Reservation in North Dakota; to the Committee on Public Lands.

By Mr. VAN ZANDT:

H. J. Res. 171. Joint resolution to provide for designation of the Veterans' Administration hospital at Altoona, Pa., as the Corporal Harry R. Harr Veterans Hospital; to the Committee on Veterans' Affairs.

By Mr. CHENOWETH:

H. Res. 185. Resolution relative to the expenses of conducting the studies and investigations with respect to the activities of the Department of State relative to personnel and efficiency and economy of its operations; to the Committee on House Administration.

By Mr. KNUTSON:

H. Res. 186. Resolution authorizing the Committee on Ways and Means of the House of Representatives to have printed for its use additional copies of the hearing held before said committee during the current session relative to reciprocal trade agreements; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Kansas, memorializing the President and the Congress of the United States to pass the necessary and proper legislation to strengthen the present sanitary requirements governing the importation of livestock and livestock products from Mexico and other countries in which the foot-and-mouth disease exists; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of New Hampshire, memorializing the President and the Congress of the United States relative to ratifying a proposed amendment to the Constitution of the United States of America relating to the term of office of the President; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CASE of South Dakota:

H. R. 3111. A bill for the relief of Louis H. Deaver; to the Committee on the Judiciary.

By Mr. CLARK:

H. R. 3112. A bill for the relief of Mrs. Gertrude Westway, legal guardian for Bobbie Niles Johnson, a minor; to the Committee on the Judiciary.

By Mr. COOLEY:

H. R. 3113. A bill for the relief of Bessie B. Blacknall; to the Committee on the Judiciary.

By Mr. DEVITT:

H. R. 3114. A bill for the relief of the estate of John Deiman; to the Committee on the Judiciary.

By Mr. GOSSETT:

H. R. 3115. A bill for the relief of J. A. Gray, Paul Reed, L. G. McCray, Norris Russell, and Freeman Rowell; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H. R. 3116. A bill for the relief of Anthony Martinez; to the Committee on the Judiciary.

By Mr. JONES of Washington:

H. R. 3117. A bill for the relief of Mrs. Sarah E. Thompson; to the Committee on the Judiciary.

By Mr. LATHAM:

H. R. 3118. A bill for the relief of Mrs. Susan W. Roe; to the Committee on the Judiciary.

By Mr. NORRELL:

H. R. 3119. A bill for the relief of R. R. Whitener; to the Committee on the Judiciary.

By Mr. SCHWABE of Oklahoma:

H. R. 3120. A bill to authorize the President to present, in the name of Congress, a Medal of Honor to John T. Norman; to the Committee on Armed Services.

By Mr. SIMPSON of Illinois:

H. R. 3121. A bill for the relief of Austin C. Kingsley; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

346. By Mr. CASE of South Dakota: Petition of C. J. O'Hearn, secretary-treasurer, Lodge No. 273, Switchmen's Union, Sioux Falls, S. Dak., and railroad men and women of Sioux Falls, asking help to defeat H. R. 2169 and H. R. 2310, which purpose amending the present Railroad Retirement Act; to the Committee on Interstate and Foreign Commerce.

347. By Mr. CHIPERFIELD: Petition of citizens of Galesburg, Knox County, Ill., in support of S. 265; to the Committee on Interstate and Foreign Commerce.

348. By Mr. HART: Petition of the House of Assembly of the State of New Jersey (the Senate concurring), that Congress adopt H. R. 472, a bill providing for the conveyance of the Bureau of Animal Industry quarantine station at Clifton, N. J., to the city of Clifton, N. J.; to the Committee on Agriculture.

349. By Mr. WELCH: Resolution No. 6422, passed by the Board of Supervisors of the City and County of San Francisco on April 7, 1947, requesting appointment of a congressional committee to study the tax-revenue problem confronting San Francisco as a result of unnecessary and excess holdings of local property by Federal agencies; to the Committee on Ways and Means.

350. By the SPEAKER: Petition of the City Council of the City of Minneapolis, Minn., petitioning consideration of their resolution with reference to requesting Congress to insist that the funds requested by the Corps of Engineers be appropriated for the maintenance of the 9-foot channel in the Mississippi River; to the Committee on Public Works.

351. Also, petition of the Board of Supervisors of the City and County of San Francisco, petitioning consideration of their resolution with reference to requesting appointment of a congressional committee to study the tax-revenue problem confronting San Francisco as a result of unnecessary and excess holdings of local property by Federal agencies; to the Committee on Rules.

352. Also, petition of the board of directors of the Golden Gate Bridge and Highway District, petitioning consideration of their resolution with reference to opposition to S. 1023; to the Committee on Interstate and Foreign Commerce.

353. By Mr. GWYNNE of Iowa: Petition of citizens of Marshall County, Iowa, relative to S. 265; to the Committee on Interstate and Foreign Commerce.

354. By Mrs. ROGERS of Massachusetts: Resolution of the General Court of Massachusetts, memorializing the Congress of the United States to enact a Fair Employment Practices Act; to the Committee on Education and Labor.

355. Also, petition of 182 residents of Lowell, Mass., asking for immediate passage of House Concurrent Resolution 4; to the Committee on Foreign Affairs.